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Moral and Ethical Decision Making
Literature Review

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Abstract

This report outlines the Department of National Defence's approach to moral and ethical decision making outlined in the Defence Ethics Program (DEP), and considers the scientific and military research pertaining to moral and ethical decision making.

This work discusses the various conceptual definitions of morality and ethics, and explores the Defense Ethics Program in detail. The DEP argues that several factors influence moral and ethical decision making, which are reviewed. Following this, both formal and informal CF training mechanisms that address moral and ethical decision making are explored.

The second part of this review considers the academic and military literature relevant to moral and ethical decision making. More specifically, it suggests that both rational and intuitive decision making processes are likely to play an important role in ethical decision making. In addition, several other factors, such as emotion, culture, and an individual's self-concept are also likely to influence moral and ethical judgements and action. Moreover, efforts to understand moral and ethical decision making must also consider the operational realities that confront the CF in today's military campaigns. These research areas have the potential to promote a complex model of ethical decision making in military operations.

Résumé

Dans le présent rapport, nous décrivons l'approche du ministère de la Défense nationale à l'égard de la prise de décision morale et éthique présentée dans le Programme d'éthique de la Défense (PED) et nous examinons la recherche scientifique et militaire dans ce domaine. Nous traitons des diverses définitions conceptuelles de la morale et de l'éthique et nous étudions en détail le Programme d'éthique de la Défense. Selon le PED, plusieurs facteurs influent sur la prise de décision morale et éthique, et ces facteurs sont examinés dans le rapport. Ensuite, nous nous penchons sur les mécanismes de formation des FC tant officiels qu'officieux qui touchent la prise de décision morale et éthique. De façon générale, nous avons constaté que le PED décrit la prise de décision éthique comme étant principalement un processus cognitif linéaire rationnel. Cette approche contraste avec les descriptions du personnel militaire ainsi que la documentation courante qui laisse entendre que l'intuition, les émotions, la culture et l'idée qu'un individu se fait de lui-même jouent aussi un rôle déterminant en ce qui a trait aux actions et aux jugements moraux et éthiques. En outre, pour bien comprendre la prise de décision morale et éthique, il faut prendre en considération les réalités opérationnelles auxquelles les FC font face dans les campagnes militaires modernes.

Executive Summary

This project reviews the results of a keyword search for the research literature relevant to moral and ethical decision making. The purposes of this review were:

- To explore current CF thinking on military ethics (e.g. the Defence Ethics Program) as it pertains to and impacts on command decision making
- To link the current CF approach with existing theoretical and empirical work in the scientific and military literature relevant to moral and ethical decision making in the military context
- To explore the factors that influence moral and ethical decision making within military contexts

The search of the databases generated approximately 300 titles and abstracts, of which we reviewed in detail approximately 50 articles and books. These titles were drawn from research in areas such as behavioural sciences, organizational theory, philosophy, as well as military theory and research.

The report contains sections reviewing theory and research relating to:

- Historical underpinnings of moral and ethical decision making in military contexts.
- The interface between military ethics and military law.
- Definitions of moral and ethical concepts.
- Canadian Forces approach to moral and ethical decision making (e.g. *Statement of Defence Ethics*).
- Description of the factors that impact on ethical decision making.
- Moral and ethical training and doctrine in the Canadian Forces.
- Advancing ethical decision making theory and research.

This review first considers the Defence Ethics Program (DEP) and explores its cornerstone documents, as well as how this program has guided CF efforts to better understand moral and ethical decision making.

The second part of this document considers the academic and military literature related to ethical decision making more generally. Specifically, it suggests that both rational and intuitive decision making processes are likely to play an important role in ethical decision making. In addition, several other factors, such as emotion, culture, and an individual's self-concept are also likely to influence moral and ethical judgements and action in operational settings. Moreover, efforts to understand moral and ethical decision making must also consider the operational realities that confront the CF in today's military campaigns. The review identifies these areas as avenues to explore in order to advance understanding of moral and ethical decision making in military contexts.

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Sommaire

Dans le cadre du présent projet, nous examinons les résultats d'une recherche par mots clés en ce qui a trait aux comptes rendus de recherche touchant la prise de décision morale et éthique. Les buts de l'examen sont les suivants :

- Examiner les idées des FC sur l'éthique militaire en relation avec la prise de décision unilatérale et à quant à son incidence sur celle-ci
- Établir des liens entre l'approche actuelle des FC et certains travaux théoriques et empiriques dans la documentation scientifique et militaire touchant la prise de décision morale et éthique dans le contexte militaire
- Examiner les facteurs qui influent sur la prise de décision morale et éthique dans des contextes militaires

La recherche dans les bases de données a produit environ 300 titres et résumés, parmi lesquels nous avons examiné en détail quelque 50 articles et ouvrages. Ces titres proviennent de la recherche dans des domaines comme les sciences du comportement, la théorie des organisations, la philosophie ainsi que la théorie et la recherche militaires.

Le rapport contient des sections qui examinent la théorie et la recherche portant sur les sujets suivants:

- Les fondements historiques de la prise de décision morale et éthique dans des contextes militaires.
- Le rapport entre l'éthique militaire et le droit militaire.
- Les définitions des concepts de morale et d'éthique.
- L'approche des Forces canadiennes en ce qui a trait à la prise de décision morale et éthique (p. ex. *Énoncé d'éthique de la Défense*).
- La description des facteurs qui influent sur la prise de décision éthique.
- La formation et la doctrine en matière de morale et d'éthique au sein des Forces canadiennes.
- Faire progresser la théorie et la recherche concernant la prise de décision éthique.

L'examen laisse entendre que l'approche actuelle des Forces canadiennes à l'égard de la prise de décision éthique est bien fondée, globale et systématique tant du point de vue conceptuel que du point de vue pragmatique. Il est clair que le Programme d'éthique de la Défense a contribué de façon significative à la mise en valeur de la prise de décision morale et éthique.

Parallèlement, le rapport signale toutefois plusieurs façons d'améliorer encore davantage l'approche des Forces canadiennes à l'égard de la prise de décision morale et éthique. De façon générale, nous avons constaté que le PED décrit la prise de décision éthique comme étant principalement un processus cognitif linéaire rationnel. Cette approche contraste avec les descriptions du personnel militaire, ainsi que la documentation courante qui laisse entendre que l'intuition, les émotions, la culture et l'idée qu'un individu se fait de lui-même jouent aussi un rôle déterminant en ce qui a trait aux actions et aux jugements moraux et éthiques. En outre, pour bien comprendre la prise de

décision morale et éthique, il faut également prendre en considération les réalités opérationnelles auxquelles les FC font face dans les campagnes militaires modernes. L'examen met ces domaines en évidence comme étant des voies à étudier pour accroître la compréhension de la prise de décision morale et éthique dans des contextes militaires.

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1 Introduction

1.1 Background

This review stems from the work of the Command Effectiveness and Behaviour (CEB) section at Defence Research and Development Canada (DRDC) in Toronto. CEB has focused previous research efforts on command and control issues, stress and coping, trust in small military teams, and decision-making performance. This review extends the scope of ongoing decision making research to explore the literature on moral and ethical decision making. In April 2003, the CEB Section of DRDC Toronto was awarded a Technology Investment Fund (TIF) grant to undertake a 3-year research program exploring command decision-making with a focus on moral and ethical reasoning and decision-making. This suggests that this topic is of considerable interest to the Canadian Forces. This work reviews previous and recent work in the area of moral and ethical decision making and the approach taken by the CF. Subsequently, we highlight possible areas of future research likely to be important for understanding moral and ethical decision making within military contexts.

1.2 Purpose

The purpose of this literature review is to develop ideas related to the empirical investigation of moral and ethical decision making within CF operational contexts. The literature review is intended to:

- Explore the CF approach to moral and ethical decision making;
- Present empirical and theoretical work in the scientific and military literature relevant to moral and ethical decision making in military contexts;
- Explore the factors that influence moral and ethical decision making within military contexts.

1.3 Scope

The literature review focuses on available theory and research relevant to moral and ethical decision making within Canadian military contexts.

Our primary focus is the moral and ethical decisions that military commanders make in operational contexts. As command decision making occurs at tactical, operational, and strategic levels, all of these levels were seen as relevant to the present discussion. In addition, multinational issues related to moral and ethical decision making are also explored.

There are, of course, many different kinds of ethical decisions. At a simple administrative level, for example, military personnel must make decisions about relatively small gifts. At the operational level, ethical decision making has very serious ramifications for human life. Although our focus is admittedly more on the more serious forms of ethical decisions within operational contexts, the entire range of such decisions was deemed to be within the scope of this review.

1.4 Work Items

The following work items were performed:

- A search of the literature to identify relevant journal articles, reports, books, etc. pertaining to moral and ethical decision making;
- References to relevant literature were recorded in an EndNote database;
- Approximately 50 articles were selected from those identified in the search, and reviewed;
- A report documenting the results of the literature was written.

1.5 Deliverables

The following deliverables were created under this contract:

- An EndNote bibliography of pertinent titles on moral and ethical decision making and related topics, including all articles identified as of interest;
- Paper copies of the articles reviewed (or microfiche if paper copies were not available);
- A report on the literature review.

1.6 Acronyms

CF	Canadian Forces	CRS	Chief Review Services
DEP	Defence Ethics Program	DHRRE	Director of Human Resources Research Evaluation
DPKO	UN Department of Peacekeeping Operations	DND	Department of National Defence
DNDEQ	Department of National Defence Ethics Questionnaire	EAB	Ethics Advisory Board
ECS	Environmental Chief of Staff	LOAC	Law of Armed Conflict
NDM	Naturalistic decision making	RLNA	Royal Netherlands Army
ROE	Rules of Engagement	RPD	Recognition primed decision making
RPF	Rwandan Patriotic Front	OOTW	Operations Other Than War
UN	United Nations	UNAMIR	United Nations Assistance Mission for Rwanda

2 Method and Results

2.1 Keywords

We developed a set of keywords for the literature search based on our experience with the pertinent scientific literature on moral and ethical decision making, as well as relevant concepts related to the military.

The keywords were divided into several categories (see Table 1). This division allowed pairing of non-overlapping keywords for the search. Keywords could be combined in any way that yielded a productive number of references (that is, not too large a number to inspect or too few to provide reasonable coverage of the topic). The "*core concept*" category was included for two reasons. First, the keywords in that category focused the search on topics directly related to moral and ethical decision making. Second, they were intended to identify any other related theoretical approaches or conceptualizations that might be relevant.

Table 1. Keywords

Category	Keyword	Related Keywords
Core Concepts	Ethic*	Principles, good, fair, decent, just, virtues, integrity, honest, honourable
	Moral*	Right, normative, duty, code of conduct, proper
	Decision Making	Reasoning, judgement, verdict, resolution, choice, assessment, evaluation, dilemma, naturalistic, rationalistic
Military Domain	Military	Rules of Engagement (ROE), service (army, navy, air), arm (infantry, SWC, ASWC, etc.), rank, strategic, tactical, training, Canadian Forces, soldier, war, tactics, operational, doctrine, rules, code
Societal Factors	Society	Attitudes, beliefs, religion, comradeship, fraternisation, respect, customs, philosophy, ideology, beliefs, values, customs, manners, law
Organizational Factors	Organization	Group-shared values, professionalism, doctrine, military law
Individual Differences	Individual differences	Motivation, individuality, gender, experience, culture, identity

2.2 Domains of Research

The domains of research were numbered. They included the following areas:

- CF documents (e.g. Defence Ethics Program);
- Behavioural Science;
- Philosophy;
- Business/Organizational Theory; and
- Military.

A number of the articles were drawn from studies of moral and ethical decision making in the behavioural sciences, as researchers in this domain have spent a considerable amount of effort looking at issues of morality and decision making in combination. As such, research and theory that explores ethical decision making outside of the specific military domain comprises a portion of this review. We also searched specifically for articles related to moral and ethical decision making in the military domain and selected several articles.

2.3 Databases

Searches were conducted of the following databases and sources:

- PsychInfo;
- National Technical Information Service (NTIS);
- Canada Institute for Scientific and Technical Information;
- World Wide Web (WWW); and
- Philosophers Index.

PsychInfo is a department of the American Psychological Association (APA) that offers products to aid researchers locate psychological literature. Their database is based on Psychological Abstracts and contains non-evaluative summaries of literature in psychology and related fields (e.g., human factors, education, business and social studies). The database contains over one million electronically stored bibliographic references with authors, titles, publication information, and abstracts or content summaries, covering material published in over 45 countries since 1967. References include journal articles, dissertations, reports and book chapters.

NTIS is an agency of the U.S. Department of Commerce's Technology Administration. It is the official source for government sponsored U.S. and worldwide scientific, technical, engineering, and business related information. The database contains almost three million titles, including 370,000 technical reports from U.S. government research. The information in the database is gathered from U.S. government agencies and government agencies of countries around the world.

CISTI houses a comprehensive collection of publications in science, technology, and medicine. It contains over 50,000 serial titles and 600,000 books, reports, and conference proceedings from around the world.

Philosophers Index is a database available on the World Wide Web that contains information pertaining 50 major philosophers and thousands of philosophical subjects.

2.4 The Search

We searched databases by applying keywords from different categories in combination. For example, we combined a keyword from the Core Concept category with one from the military domain category. The results of this pairing were used to determine whether the combination needed to be redefined to be more or less inclusive. When a combination yielded too many references, we systematically added keywords from other categories to focus the search. When the combination yielded too few references, we dropped one of the keywords from the combination or replaced one keyword with a related term.

Another source of potentially relevant references was the set of articles obtained for review. We also identified articles cited in the reference lists of the articles obtained for the review on the basis of their potential relevance to moral and ethical decision making.

2.5 Selection of Articles

The search of the databases generated approximately 300 titles and abstracts. We reviewed these and categorized each by its priority (high, medium or low) to the purpose and scope of the literature review. Priority was based on the extent to which the article seemed to apply to the main categories of keywords developed earlier (Table 2.1). Once titles and abstracts were prioritized, we identified the approximately 60 sources that were rated as highest priority and obtained as many of these as possible. We were able to obtain approximately 50 for review, which covered a range of research areas, from which we focused on issues relevant to moral and ethical decision making.

We also identified about 70 secondary references. The references comprise books, journal articles and technical reports from the behavioural sciences, military research, philosophy, and business domains.

2.6 Review of Articles

We read each of the approximate 50 articles obtained for review in detail, taking notes. After reviewing approximately 30 of these, we developed a broad outline of the major issues. We used this outline to categorize the applicability of articles and to further focus review of the obtained articles.

2.7 Structure of the Report

The first section of this report describes the historical underpinnings of moral and ethical decision making in military contexts and considers the interface between military ethics and military law. Following this, we investigate the Canadian Forces Defence Ethics Program, its conceptual definitions pertaining to ethics and morality, and its approach to moral and ethical decision making. The following section addresses current CF training programs related to moral and ethical decision making. The final section identifies specific research areas likely to further advance the understanding of moral and ethical decision making in a military context. More specifically, additional consideration of intuition, emotion, culture and individual's self concept may help to further enhance the understanding of ethical decision making within military contexts.

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3 Introduction

From medieval perspectives of Just War Theory to current Canadian military law, moral and ethical decision making has been shaped by a variety of influences. The first section outlines general theory of war, from both an ethical and military perspective. The second section explores the basis of moral and ethical decision making and conduct in military operations, and considers current Just War Theory, the international law of armed conflict, and Canadian military law. The third section provides four examples of military conduct that speak to both international moral and ethical expectations and military law. The final section is a summary of the chapter.

3.1 Historical Perspectives on War

Moral and Ethical Theory of War

During the time between the collapse of the Roman Empire and the beginning of the Hundred Years War, Europe was overcome by conflict and destruction, resulting in the mass killings of non-combatants, women, children, elderly, and the infirm. According to Major Kevin Benson (1992), this accelerated the interest of applying ethics to war. Ethical theorists, mostly within the Catholic Church, sought principles to guide actions prior to and during war on the assumption that the application of these would limit suffering and destruction. Prominent among these theorists was Thomas Aquinas, who believed that the natural state of humankind was peace, and thus, any criteria for war ought to safeguard this. Aquinas' Just War Theory, governed by both a sense of proportionality and discrimination, Benson (1992) explains, grew out of the desire to avoid unnecessary and unjust wars, and to restrict the terror of war.

As outlined by Benson (1992), proportionality guides both the decision to go to war and the actions within war. In the decision to go to war, the state must ensure that the cost and destruction of the war does not exceed the good achieved by the war. In the governance of action during war, a commanding officer must balance the intended military advantages with the unintended effects of the use of force, that is, collateral damage and death to innocent people. This is known as the principle of double effect. But as Benson (1992) points out, this cannot hold ethical rigour because a commanding officer is likely to give force protection and accomplishing the mission far more weight than unintended effects. As such, military necessity judges any act that increases the likelihood of victory as permissible. According to Benson (1992), Michael Walzer's ideas surrounding non-combatant immunity and military necessity in *Just & Unjust War* updates Aquinas' position and seeks to resolve the controversy.

Walzer (1977) insists that the principle of double effect must include a "*double intention*". In other words, having "good" intentions and being a part of a "just" war, a commanding officer must *intend* the accepted effect of military operations as well as *intend* the reduction of the foreseeable negative impact on non-combatants. Given that soldiers typically engage the enemy, not intending to kill innocent people is not good enough, Walzer argues. Rather, there ought to be an intentional commitment on behalf of soldiers to prevent the death of non-combatants, even if this involves greater risks to the soldiers. Indeed, he provides historical examples of military operations that increased the risk to soldiers in an effort to minimize civilian casualties. Positive rights to non-combatants and added risk to soldiers, of course, will vary according to the necessity and urgency of the situation. Nonetheless, Walzer (1977) maintains that civilians are at least owed "due care".

According to Benson (1992), Aquinas' principle of discrimination, more ethically sound under Walzer's amendment, goes beyond simply the intentional desire to minimize the death of non-combatants. Aquinas abhorred the indiscriminate use of force, thereby extending the principle to safe havens, such as churches and hospitals and private property. Military necessity, therefore, no longer could claim justification for the violation and destruction of people, property and places of charity. Aquinas' position on the theory of Just War was nourished by a deep commitment to Christian virtues, such as charity, hope, and faith.

Military Theory of War

Like the ethical theorists, military theorists also claim that they provide a sound basis for applying force during war. Carl von Clausewitz' *On War* (1976; cited in Benson, 1992) set a standard for the military theory on war. He states that war is a political act, a rational act of policy, which is executed by the army, and whose primary consideration is the destruction (literally or figuratively) of the enemy army. He suggests that in this sense, war has the function of a policy, the difference being the use of a 'sword' as opposed to a 'pen'. The political objectives, therefore, drive the military objectives, the amount of force used, and the level of destruction necessary to be victorious. According to Clausewitz, the military objective is ultimately the destruction of the enemy, manifested in the destruction of the enemy forces, occupation of enemy territory, seizure of the enemy's capital, breaking the enemies will, and relentless pursuit of the fleeing enemy (Clausewitz, 1976; cited in Benson, 1992).

Like Aquinas and other ethical theorists, Clausewitz believed that "theoretical total war" consists of extreme and absolute violence, whereas real war is restrained. The point of departure between the two theorists resides in their view of the factors that should restrain war. Aquinas believed it was virtue, that is, ethical objectives, whereas Clausewitz believes that political or policy objectives should limit war. In contemporary Just War Theory, war is just if it is waged by a legitimate authority. More often than not, this authority is a political body representing to some degree the people of a nation. But as Abraham Lincoln reminded his troops during the American Civil War: "Men who take up arms against one another in public do not cease on this account to be moral human beings." The desire to sustain peace and to minimize the destruction of war requires strong ethical criteria to guide the decision to go to war and the decisions around military action during war.

3.2 Basis of Moral and Ethical Decision Making and Conduct in Military Operations

Several standards have been enacted in order to guide military action during war.

Just War Theory

Today, Just War Theory is shaped by seven principles. In general, Just War Theory promotes the avoidance of needless conflict and the protection of innocent lives, including prisoners of war. The ultimate purpose of a just war is to promote peace, a peace that is more desirable than the one in the status quo. The following briefly describes these principles[1], and includes an example to illustrate how these justify military decisions regarding war:

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[1] Adopted from www.mtholyoke.edu

- A just war can be waged if there are no other means left to resolve the conflict. Canada's decision for non-intervention in Iraq in 2003 was partially explained on the belief that diplomatic means were not exhausted.
- A just war can only be waged by a legitimate authority. The "authority" must be individuals, or a group of individuals, who have been sanctioned as "legitimate" by the society. Therefore, an elected government would be considered a "legitimate authority" of the society; whereas, a "terrorist" organization would not. The actual legitimacy of authority, however, will often be open to debate. For instance, some "terrorist" organizations, such as the Irish Republican Army (IRA) or the Palestinian Liberation Organization (PLO), receive sanctioning of legitimacy from certain members of society, however constitutional this might be.
- A just war can only be fought in order to rectify a wrong suffered or as a means to self-defence. The U.S. decision to enter Afghanistan in 2001 in an effort to bring Osama bin Laden to justice for orchestrating the attacks on the World Trade Towers and the Pentagon could be justified under this principle.
- A just war can only be waged if there is a reasonable chance of success. However, it is unlikely that any nation would initiate a war if they did not believe that they would ultimately be victorious.
- A just war is always fought in order to promote or re-establish peace. As well, those who wage just war must be sure that a more desirable peace will arise, replacing the peace under the status quo. The general intent is to promote the "good" over the "evil". The U.S. decision to remove the Taliban regime in Afghanistan in 2001 was predicated on this principle. A UN chapter seven peace-making mandate (aimed at restoring peace through armed intervention) would be justified under this principle.
- The force of war must be directly proportional to the wrong suffered. And, according to Just War Theory, it is not permissible for a nation to use unnecessary force to ensure the limited objective of addressing the wrong.
- The use of force in a just war must discriminate between combatants and non-combatants. Under no circumstances are civilians a legitimate target and every effort must be made to avoid killing civilians. The death of civilians can be justified only if they are the victims of a deliberate attack on a military target.[2]

Walzer (1977) holds that a just war can also be fought if there is "sufficient threat" from a potential aggressor. He states that "the line between legitimate and illegitimate first strikes is not going to be drawn at the point of imminent attack but at the point of sufficient threat" (Walzer, 1977, p. 81). This sufficient threat includes "a manifest intent to injure, a degree of active preparation that makes that intent a positive danger, and a general situation in which waiting, or doing anything other than fighting, greatly magnifies the risk" (Walzer, 1977, p. 81). Though this is meant to morally justify a pre-emptive attack, it is important to note that the threat must be materially salient. As Major Richard Anderson (2003) argues, it would be an act of aggression and therefore unjust to strike enemies "*before*" they actually materially threaten another nation.

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[2] The development of highly precise weaponry, such as the "smart bomb", indicates that military technology seeks to avoid collateral damage and the death of civilians. A smart bomb has an electronic sensor system, a built in control system (an onboard computer), and flight fins. These all work together to continuously steer the bomb to a designated target on the ground.

The principles of Just War theory are not the only reasons that morally justify military intervention. Beecher (1996) provides other justifiable reasons. For example, when the concept of nation-state sovereignty is shrouded by the concept of Universal Human Rights, a country (or countries) may be justified in aiding another country during times of domestic upheaval. This intervention is considered just if the established regime, or government, invites the intervention of another country. Another just cause for military intervention in a foreign state's affairs is to protect nationals. Beecher (1996) uses the U.S. military rescue of U.S. medical students studying in Grenada as an example. As such, it is also considered just to intervene for humanitarian reasons. In many cases, populations need protection from their own governments. In these circumstances, the international community and international agencies decide the appropriate action to take to safeguard the populations at risk. Treaties, such as the North Atlantic Treaty Organization (NATO), are another justification for intervention. Often countries align themselves with other countries to minimize, or share the burden of, a common threat. Countries belonging to a treaty will come to the aid of a threatened member. Thus, although the principles of Just War Theory provide guidance for the decision to go to war and the expected conduct during war, they do not cover all cases.

International Law of Armed Conflict

Over the years, ethical principles concerning war, especially the proportional use of force and discrimination between combatants and non-combatants and their respective treatment by opposing armies, have gained the authority and clarity of international law. Although international law governs the relationships between nations, these laws do not preclude armed conflict. Through treaties and customary international law, laws of war were developed in an effort to make armed conflict as humane as possible (Bailey, 1997). They determine both when a state can resort to the use of force and how they can conduct hostilities.

For example, as early as 1907, The Fourth Hague Convention, Respecting the Laws and Customs of War on Land, in the interests of humanity and the need to diminish the excesses of war, revised the general laws and customs of war that derived from the First Peace Conference held in Brussels in 1874. The first couple of chapters clarify what constitutes a belligerent, that is, a combatant, and how prisoners of war ought to be treated. Following this, The Hague Convention states that belligerents do not have the right to adopt any means for injuring or killing the enemy. Acts such as the employment of poison or poisonous weapons to kill an enemy, the deceitful killing or maiming of the enemy, the killing of surrendered enemy, the ill proportional use of weapons, the unnecessary destruction of the enemy's property, or the improper use of flags or insignias, are considered violations of laws and customs of war.

In light of the atrocities and violations of human dignity in World War II, the Fourth Geneva Convention was developed to enforce the protection of combatants who no longer pose a military threat to the opposing army. These include prisoners of war (PWs), and non-combatants, including women, children, elderly persons, ministers of religion, medical personnel, wounded, sick and infirm. It also requires the warring parties to actively search and collect the wounded and sick as well as to protect them from pillage and ill-treatment. Search and collection could be accomplished by an agreed upon ceasefire between the warring parties. The Geneva Convention also ensures that areas, such as hospitals and "safety zones" are protected from the force of armed conflict. As Dahl

(2000) suggests, violence or mistreatment against protected people and destruction of areas that support this protection is universally unethical.

Blishchenko (1997) explains that the 1977 Additional Protocols to the Geneva Convention acknowledge the destructive, non-discriminatory and far reaching impacts of new conventional weaponry and traditional methods. Coupled with the fact that civil wars tend to be extremely cruel and destructive, the Protocols enforce international humanitarian law on an internal situation. Without exception, all belligerents involved in an internal conflict are obliged to apply international humanitarian law (Blishchenko, 1997). Moreover, as Dahl (2000) points out, the Protocols are meant to restrict attacks to military objectives, and to limit the designation of habitable areas as "lawful targets". Further recognition of the change in conventional weaponry and to accommodate the Protocols shortcomings led to the 1980 United Nations Convention on the Prohibitions or Restrictions on excessive conventional weapons.

In cases where law is not formally ratified or uncertain, the Martens Clause and the Nuremberg Principle can apply. Dahl (2000) explains that in cases that do not fall under international agreement or treaties, under Martens Clause, both combatants and non-combatants fall under the guidance of customary international law (i.e., acceptance of a general practice as law), or principles of humanity, or dictates of public conscience. If there is no law prohibiting a specific action, it does not follow that it is necessarily permissible. The decision is not a question of law, but ethics. According to the Nuremberg Principle, in a situation where an order from a superior is suspected to be unlawful, soldiers, irrespective of rank, have a duty to disobey. Under this principle, a soldier is expected to not only know the difference between right and wrong and act on the former through disobedience, but also take responsibility for obeying an unlawful act if they choose to obey. Soldiers ought to be loyal "to superior principles, not to superior persons" (Dahl, 2000, p. 11).

Regrettably, according to Dahl (2000), international military law today conforms to a "hard" interpretation of Clausewitz's theory of war, that is to say, depriving the enemy of their resources as quickly and completely as possible, leaving no room for enemy forces to escape or flee to live to fight another day. Though he believes that most men would consider firing on fleeing persons as immoral, and the reduction of bloodshed more satisfactory, commanders themselves are under no obligation to minimize the enemies' losses; to the contrary, they are obliged to maximize the enemy's losses. To offer the enemy a way out of the conflict with little loss to material and moral resources, Dahl (2000) explains, is simply a "matter of expediency".

Canadian Military Law

Based on the International Law of Armed Conflict, Canada has adopted its own law governing the conduct of hostilities and protection of innocents for its armed forces. The Law of Armed Conflict (LOAC) is meant as a practical guide for commanders, staff officers, and LOAC instructors and applies to the tactical and operational levels of doctrine related to armed conflict. It is extensive and legally binding upon all members of the CF.

The concepts underlying the LOAC are the concepts of military necessity, humanity, and chivalry. These are derived from the various Conventions, Clauses, and Principles outlined above. Operational principles in the LOAC also derive from international military laws. They include the following: distinction, which refers to the distinguishing between military and civilian targets; non-discrimination, which ensures that warring parties are governed the same way according to international law; proportionality, as previously defined; and reciprocity, which demands that one should treat others as one would like to be treated.

The CF approach to moral and ethical decision making is grounded in these international ethical standards and requirements that must be observed during military operations, in addition to a specific code of conduct governing CF personnel. The CF Code of Conduct can be understood as a specific articulation of international ethical standards from a Canadian perspective. It incorporates both the spirit and the principles inherent in the LOAC and tailors these to the Canadian context. It incorporates the 11 different rules in the LOAC:

1. Engage only opposing forces and military objectives.
2. In accomplishing your mission, use only the necessary force that causes the least amount of collateral civilian damage.
3. Do not alter your weapons or ammunition to increase suffering, and do not use unauthorized weapons and ammunition.
4. Treat all civilians humanely and respect civilian property.
5. Do not attack those who surrender. Disarm and detain them.
6. Treat all detained persons humanely in accordance with the standards set by the third Geneva Convention. Any form of abuse, including torture, is prohibited.
7. Collect the wounded and sick, and provide them with the treatment required by their condition, whether friend or foe.
8. Looting is prohibited.
9. Respect all cultural objects (museums, monuments etc.) and places of worship.
10. Respect all persons and objects bearing the Red Cross/Red Crescent and other recognized symbols of humanitarian agencies.
11. Report and take appropriate steps to stop breaches of the LOAC and these rules. Disobedience of the LOAC is a crime.

It is important to note that the LOAC and the CF Code of Conduct have the same provisions for armed conflict as for peacekeeping operations. At the same time, each mission also has its distinct rules of engagement (ROE), which define underlying rules for the use of force within that mission.

Although military systems are governed by their own laws, they must also conform to the laws of society, and to the civil and criminal justice systems. In Canada, the pillars of military law are the military justice system, operational law (e.g. the Law of Armed Conflict), and military administrative law. At the level of individual soldier or commander, then, it is possible to imagine several different levels that dictate the proper action in a given circumstance.

- International laws of war;
- Dictates of one's own military system;
- Rules of engagement for particular missions;
- National law and customs (i.e., a soldiers' society's laws, standards, norms or values); and
- Individual ethical ideology.

It is also easy for one legitimate claim to be in opposition to another equally valid claim. The acceptance of wearing visible religious symbols, such as a turban, while in the CF might be an example of two claims in opposition, one's own ethical ideology vs. the dictates of military norms.

Furthermore, by ratifying the Additional Protocols of the Geneva Convention, Canada committed itself to the dissemination, interpretation, and counsel of international military law by legal advisors. At any given time, commanding officers have available to them these advisors. Especially with the growing difficulties in international conflicts, legal officers/advisors can provide invaluable assistance with "resolving combatant status issues, the development of rules of engagement, dealing with refugees and the obligations associated with supervising PWS/detainee and internment activities" (Watkin, 2004). As the following examples illustrate, non-conventional war theatres require strong counsel and sound moral and ethical decision making.

3.3 Application of Military Theory and Law to Armed Conflict

Military laws and standards, in theory, should provide some basis for military personnel to be able to make sound moral and ethical decisions in armed conflicts. In practice, however, this is more difficult than it might seem given the new operational challenges over the past two decades. Troops are often deployed, not in the conventional war fighting capacity, but more often as peacekeepers on behalf of the United Nations (UN) or NATO. During operations, they make not only operational decisions but often decisions of a moral and ethical consequence. Furthermore, recent events involving Western militaries, such as Dutch peacekeepers in Srebrenica and the CF members in Somalia and Rwanda, have underscored the need to better understand the factors that influence moral and ethical decision making.

Somalia

Within the Canadian Forces, events in the mission in Somalia have likely expedited the need to better deal with issues related to moral and ethical decision making, as well as military law. A country ravaged by civil war, deprived by famine, and abandoned after the cold war, Somalia saw the emergence of heavily armed gangs who roamed and terrorized the country. Their interference with humanitarian food deliveries brought the need of international intervention to the fore. In 1992, the Canadian Airborne Regiment, an elite commando unit, was deployed to Belet Huen. Theirs was a peace enforcement rather than a peacekeeping mission. The Airborne Regiment was deployed to ensure that the safety and humanitarian interests of Belet Huen and the surrounding area were preserved, and was permitted to use lethal force when necessary. Cases that justified the escalation of force included disbanding gangs with force as well as shooting looters who were taking designated protected property (e.g. equipment) within the Canadian compound

The first controversial incident occurred just months after deployment. Two Somali looters had been shot while they tried to escape the Canadian compound. One was wounded and the other was killed. It was reported by Army surgeon Barry Armstrong that the man who died was shot "execution-style in the head". Following the shooting incident, a teenage Somali, Shidane Arone, was detained, burnt and murdered by Canadian soldiers.

It took two weeks for the announcement of the murder of Arone. Moreover, it was not until Armstrong decided to report the shooting death of the Somali looter that this incident became public. These events led to a public inquiry. The Defence Minister at the time, Kim Campbell, complained that she had not been party to the affairs in Somalia regarding the shootings and the murder. The inquiry concluded that the limited investigation of the shooting incident created an attitude of leniency that led to the murder of Arone. Moreover, it accused the Canadian military of cover-ups, undisciplined soldiers and poor leadership. These systemic problems in CF organizational culture, manifested most specifically within the former Canadian Airborne Regiment, led to an increased emphasis on the need to consider the human aspect of military warfare. In light of Somalia, increased focus on training leaders who would not only perform competently, but who would also make decisions so as to represent the core values of the CF has been increasingly emphasized.

Srebrenica Massacre

In the summer of July 1995, the Bosnian town of Srebrenica, a United Nations protected area (UNPA), was the scene of one of the worst massacres of the Bosnian War (Rohde, 1997). Taking refuge from earlier Bosnian Serb Army (BSA) offensives, tens of thousands of civilians placed their protection in the hands of approximately 600 Dutch infantry soldiers (DUTCHBAT). Bosnian Muslim soldiers who also wanted protection in the UNPA were required to surrender their weapons to UN forces. As the BSA began shelling Srebrenica, these soldiers demanded their weapons back, but the DUTCHBAT commander, Lieutenant-Colonel Thom Karremans, refused. Instead, he asked UN headquarters for close air support after refugee centres and UN observation posts had come under fire. The BSA increased their shelling and reportedly took 30 Dutch peacekeepers hostage.

Meanwhile, more refugees flooded into Srebrenica, surrounding themselves around Dutch positions. To minimize the growing panic and fear, LCol Karremans ensured town leaders that failing to withdraw from the UNPA by 0600 hours on 11 July, the BSA could expect NATO air strikes on their positions. The BSA did not withdraw. By mid-afternoon, two NATO F-16s dropped bombs on BSA positions. In response, the BSA said that they would kill the Dutch hostages and shell the refugees. This forced the suspension of air strikes.

The BSA commander, Ratko Mladic entered Srebrenica, demanding that the Bosnian Muslims hand over their weapons to ensure their safety. He stated that "Allah can't help you but Mladic can". On July 12th, women and children were shuttled to Muslim territories, while all men from age 12 and older were separated for interrogation on the false pretence that they must identify Muslim war criminals. It is believed that about 15,000 Bosnian Muslim fighters fled 40 miles through minefields and mountains that evening - many eventually would perish as a result of persistent BSA attacks. UN peacekeepers handed over approximately 5,000 refugees who were sheltered at the Dutch base at Potocari in exchange for 14 DUTCHBAT peacekeepers. Many of these refugees would be killed. After negotiations with the BSA, the Dutch contingent was permitted to leave. It is estimated that more than 7,000 men were systematically murdered by the BSA.

One tension for UN forces in Srebrenica was that they faced an aggressor that paid no heed to international law of armed conflict and basic human rights. Not only did the BSA shell UNPA, and fire upon fleeing refugees, they used deceitful and indiscriminate means to eliminate the immediate enemy as well as *potential* enemies, such as young boys. Bosnian Muslim forces were promised safety if they handed over their weapons, only to be executed. Moreover, BSA lured Bosnian Muslim forces out of the mountains using stolen UN vehicles and promises of safe passage. According to The Hague Convention, the improper use of insignias violates the laws and customs of war.

To complicate the situation further, as is often the case with UN operations, the Dutch contingent was lightly armed, insufficiently manned and mandated only to attack in "self-defence". Mladic believed that any attack on the UN was unlikely to provoke NATO air strikes. Ironically, those under UN protection were in fact increasingly more vulnerable against a well-orchestrated military assault. Instead of protecting those in their charge, the Dutch soldiers witnessed and contributed to the separation of men and boys from the women and girls.

Despite the powerlessness of UN peacekeepers in Srebrenica, two reports released by Dutch NGO's have blamed the Dutch soldiers, their superiors, and the Dutch government for failing to prevent the massacre. Had LCol Karremans and his UN superiors complied with Mladic's request to organize the evacuation of 20,000 refugees, the reports state, the separation and the massacres could have been prevented. The reports also condemn the Dutch contingent for leaving Srebrenica without ensuring the safety of the people, notably men, in their charge. A further report by the University of Sarajevo's Research of War Crimes concluded that LCol Karremans prevented Muslim soldiers from defending the enclave and falsely leading those in UN care of believing that they would be protected. In a demonstration of responsibility for the actions of the previous government, the Dutch Prime Minister Wim Kok, Minister of Defence Frank de Grave, and the rest of the Dutch cabinet resigned.

Rwanda Genocide

Lieutenant-General Romeo Dallaire, as the force commander of the multinational mission to Rwanda starting in 1993 has eloquently recounted his wrenching experiences, presenting a stark reminder of the genocide in Rwanda, and a testament to the impossible moral and ethical decisions that he confronted on a daily basis. Initially, the United Nations Assistance Mission for Rwanda (UNAMIR) was meant to oversee the implementation of the Arusha Peace Agreement, five accords that marked the end of the civil war between the Rwandan Patriotic Front (RPF) and the Government of Rwanda, and the establishment of a broad-based transitional government. Unfortunately, the Agreement was met by a political impasse, and the subsequent assassination of the President of Rwanda, Major General Juvenal Habyarimana.

Following this, with its limited mandate, UNAMIR simply became witnesses to, in Gen Dallaire's own words, "one of the fastest, most efficient, most evident genocides in recent history" (Dallaire, 2003, p. xvii). Like Srebrenica, Gen Dallaire and UNAMIR were small in numbers and lightly armed and could only use military force in "self-defence". Despite the fact that UNAMIR's rules of engagement (ROE's) permitted an escalation of force including deadly force to prevent crimes against humanity, according to Gen Dallaire (2003), the UN Department of Peacekeeping Operations (DPKO) ordered him to refrain from firing unless fired upon. Gen Dallaire and UNAMIR were thus immersed in the systematic murder of an ethnic group on a daily basis for more than three months without the mandate to intervene. Gen Dallaire's frustration, scorn and disgust with UN operations and the general moral indifference of the "developed world" are amplified in his brief description of the genocide. He states that "in just one hundred days over 800,000 innocent Rwandan men, women and children were brutally murdered while the developed world, impassive and apparently unperturbed, sat back and watched the unfolding apocalypse or simply changed channels" (Dallaire, 2003, p. xvii). His testament of the Rwandan Genocide documented in *Shake Hands with the Devil* underscores the importance and urgency of educating soldiers to the challenge of making moral and ethical decisions in operations.

My Lai Massacre

The My Lai massacre of 1968 is an infamous example of the excesses of military necessity, and the changing war theatre from conventional to non-conventional. Charlie (C) Company, led by Captain Ernest Medina, was ordered into the hamlet of My Lai to engage and destroy the Viet Cong's 48th Battalion. With the belief that everyone in My Lai was the enemy, C Company stormed into the village expecting to encounter the enemy but found only civilians. One platoon leader, Lieutenant William Calley, ordered the slaughter of the civilians. They were rounded up by American GIs and gunned down in ditches. Those trying to escape, including babies, were not spared. The carnage rose beyond simple machine gunfire. As one GI later recollected, "You didn't have to look for people to kill, they were just there. I cut their throats, cut off their hands, cut out their tongues, scalped them. A lot of people were doing it and I just followed. I just lost all sense of direction"

(Wallechinsky, 1991 p. 1). More than four hundred women, children, and elderly were freely and systematically murdered.

According to one argument, the American soldiers' immoral behaviour was excused on the basis that the Vietnam War was particularly brutal in that it was a war against the Vietnamese people as a whole, which implied that killing non-combatants was justified. Thus, GIs "had been encouraged to kill without making careful discriminations – encouraged to do so by their own officers and driven to do so by their enemies, who fought and hid among the civilian population" (Walzer, 1977, p. 309, summarizing Seymour Hersh, 1970, David Cooper, 1972). Indeed, Lt. Calley's stateside testimony was that he was simply following admittedly vague and ambiguous orders.

In Vietnam, guerrilla warfare blurred the distinctions and treatment of combatants and non-combatants outlined in The Hague and Geneva Conventions. Enemy combatants were not clearly identified and did, in fact, conceal themselves in the civilian population. But as Walzer (1977) points out, despite the brutal guerrilla war that was being fought in Vietnam, a massacre does not fall within any accepted norm. Becoming a soldier does not preclude one from moral responsibility, no matter how difficult the decision and action might be.

It is important to note that there were incidents that proved that some GIs in C Company recognized the difference between guerrilla war and massacre, and at great risk to themselves refused to commit atrocities. Some men ran away, some refused to obey, one was said to have shot himself in the foot in order to escape the scene. But the most virtuous act came from Chief Warrant Officer Hugh Thompson. Circling above, he saw the murdering of girls and boys, reported the random killings to brigade headquarters, set his helicopter down, and stood between fellow American soldiers and the civilians until they could be air lifted to safety. In fact, his moral sentiment ran so high that he reportedly ordered his helicopter crew chief to open fire on any American soldier who was firing at civilians.

Once the massacre became public knowledge, only Lt. Calley was brought to trial on murder charges. He was tried and convicted by a military judicial court and sentenced to life imprisonment. The jury had been composed of six combat veterans, five of whom served in Vietnam. The White House reduced his sentence and he served three years under house arrest at Fort Benning, Georgia.

3.4 Summary: The Path to Moral and Ethical Decision Making in Military Contexts

These and other historical incidents have advanced the need for a deliberate and integrated approach to moral and ethical decision making within military systems. In the cases of My Lai and Somalia, United States and Canadian militaries not only failed to uphold the principles that their countries' espouse, but failed to uphold articles of the Geneva and Hague conventions concerning treatment of civilians and prisoners. Srebrenica and Rwanda underscore the asymmetrical evolution of military operations, and the impact this has on personnel deployed in these situations.

Several trends likely to affect moral and ethical decision making are evident in these examples. Because soldiers are now involved in conventional and unconventional war, 'normal' military operations have become more ambiguous and are characterized by an inter-mingling of civil, humanitarian, political, combat, and international coalition dimensions (Wenek, 2002). It is possible, therefore, that for soldiers and unit leaders in today's military, ethical dilemmas may be increasing in frequency and degree. This might be particularly true in a 3rd world UN or NATO context, where cultural diversity combines with multi-national contingents that are poorly equipped and perhaps not trained to core NATO standards. Often, belligerents are disrespectful of the Geneva or Hague conventions and international laws of armed conflict. Moreover, the increased tempo of operations and advances in technology represent additional factors to be considered in decision making within the CF (Wenek, 2002). Changing operational objectives, new technology, new forms of organization, increasing diversity, and changes in values have provided the impetus for many military organizations to examine current conceptualisations of military leadership (Newsome, Catano, & Day, 2003). The complexity of modern day operations has brought the importance of moral and ethical decision making more to the fore, and has challenged military systems to find a way to understand, train and support moral and ethical decision making in military contexts.

These historical instances of moral and ethical decision making failures have challenged modern military systems at all levels to begin to find and to use a systemic and integrated approach to identify and cultivate organizational values as well as assist organizational members to adopt these as their own. This is necessary if members are to instantiate them, representing the military system in their professional careers, during the course of military operations, and in their lives in general. Within the CF, the unique nature of moral and ethical decision making has been recognized and actively addressed through the work of the Defence Ethics Program. The specifics of this program are described in the next chapter.

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4 CF Approach to Moral and Ethical Decision Making

The primary purpose of this chapter is to explore the Canadian Forces approach to moral and ethical decision making. The first part of this chapter defines the terms ethics, morality, moral judgement, moral dilemma, and decision making. The second section explores the specifics of the CF Defence Ethics Program (DEP), and the final section addresses ethical decision making in military contexts more generally.

4.1 Definitions

In order to understand moral and ethical decision making, it is necessary to define several terms.

Ethics, as outlined in the *Canadian Forces Defence Ethics Handbook*, "is concerned with right and wrong, and principles and obligations that govern all actions and practices of institutions and individuals in society" (*Handbook*, p. 56). This is based on the assumption that "any action or lack of action by individuals or institutions that affects directly or indirectly human beings involves ethics" (*Handbook*, p. 56). Defence Ethics are normative in the sense that they include the articulation of principles and obligations that members should follow, the virtues that they should acquire, and the considerations about how following these will impact others.

Morality, on the other hand, is said to be concerned with standards or codes of conduct (*Handbook*, p. 56).[3] Following this definition, morals can be construed as "the set of standards and values, of manners and customs in a certain group of people at a particular time" (Verweij, Cloin, & Tanercan, 2000, p. 1). The morality of Canadians, for example, refers to a specific set of rules particular to our society that we adopt in belonging to that society. In theory, this morality with its set of obligations or duties might be very different from another society that nevertheless holds the same ethical principles. However, morality in the normative sense entails that there exists a universal morality with a right set of general rules that all rational agents can accept as binding. This, of course, remains a contentious issue in moral philosophy.

Moral judgements can be understood as either judgements of obligation or judgements of value. The former concern what we *do* in any given circumstance. Sentences that speak to judgements of obligation include words such as "duty", "ought", or "right". Examples might include, "Your *duty* was to protect your section" or "You *ought* to do what is necessary to prevent any collateral damage" or "It was not *right* to open fire without command".

Judgements of value, on the other hand, do not concern themselves with what is the correct thing to do. Instead, they speak to what is *good* or what has *value*. "Freedom is good" or "Art is the only thing that has intrinsic worth" are considered judgements of value because they *do not oblige* us to one action over another.

Judgements of obligation and judgements of value are not necessarily mutually exclusive. Indeed, an ethical theory can promote a notion of what is good or what has value that then require us to act in such a way as to fulfil that good. For example, if we hold that "Freedom is good", then we potentially have obligations and rights to support that judgement of value. Obligations can be said to derive from this good.

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[3] The terms morality and ethics are used interchangeably in the DEP, except in those instances when an individuals' private morality is considered, then the term morality is used (*Handbook*, p. 56).

Moral dilemmas can be defined as conflictual situations in which an individual ought to do *x* **and** ought to do *y*, but where doing *y* means doing not-*x*. In other words, a moral dilemma involves choosing between two obligations where fulfilling one means failing to fulfil the other. Moral dilemmas remind us that ethical decisions can be complex and there is not always an easy answer to ethical dilemmas, despite the principles, values, and rules that we have consciously adopted.

Decision making is typically understood as "a formal or informal procedure used by an individual or group of individuals to analyze a problem, identify objectives and goals, develop alternatives, and determine consequences for each alternative" (Schultz, 1997, p. 6). In this sense, decision making is often described as a deliberate, cognitive process.

4.2 CF Approach to Moral and Ethical Decision Making

Overview

The formal CF approach to understanding moral and ethical decision making is reflected in the work of the Defence Ethics Program. The DEP itself is a Department of National Defence (DND) initiative to achieve the following goals: to ensure that all CF personnel and DND employees perform their obligations in accordance with the highest ethical standards; to lessen the ethical risks in the CF/DND; and to provide a means by which to continuously improve the ability of its members to make decisions in an ethical manner. Recognizing the need to promote ethical decision making and greater integrity in governmental employees and CF members, senior defence leaders approved the development of an ethics program in the winter of 1994. The DEP was officially authorised in December 1997. The work of the DEP can be tracked through several core documents and reports listed in Figure 1.

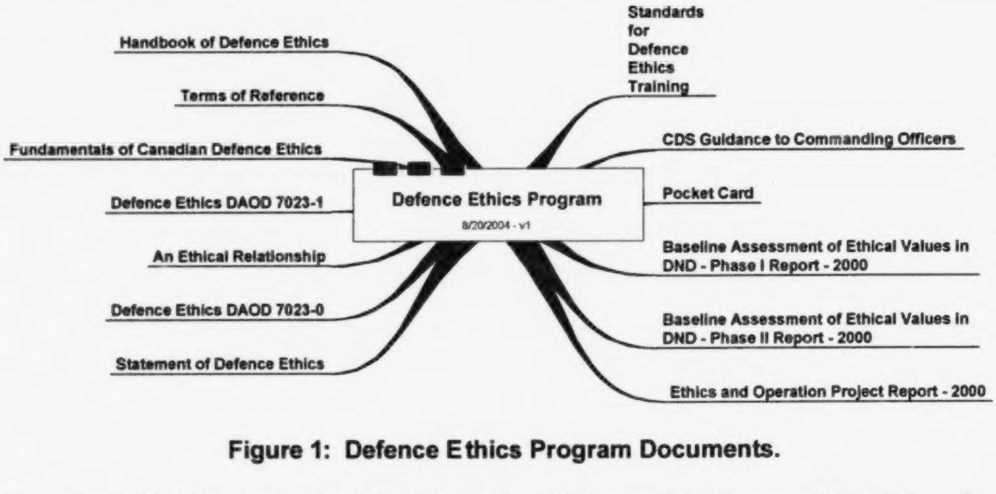
Handbook of Defence Ethics
Terms of Reference
Fundamentals of Canadian Defence Ethics
Defence Ethics DAOD 7023-1
An Ethical Relationship
Defence Ethics DAOD 7023-0
Statement of Defence Ethics
Defence Ethics Program
8/20/2004 - v1
Standards for Defence Ethics Training
CDS Guidance to Commanding Officers
Pocket Card
Baseline Assessment of Ethical Values in DND - Phase I Report - 2000
Baseline Assessment of Ethical Values in DND - Phase II Report - 2000
Ethics and Operation Project Report - 2000

Figure 1: Defence Ethics Program Documents.

The paper entitled *Fundamentals of Canadian Defence Ethics* consists of a general description of the DEP that includes an explanation of the background, rationale, and approaches taken in developing the DEP. It highlights the manner in which the program has dealt with various philosophical, social psychological and administrative issues relevant to defence ethics. There is a discussion around the principles and obligations of the *Statement of Defence Ethics*, which includes sections dedicated to applying defence ethics and understanding the dynamic between defence ethics and the individual and defence ethics and the institutional environment. The *Fundamentals* also investigates the complex nature of moral development. Ultimately, the purpose of the *Fundamentals* is to act as an aid for developing and maintaining a healthy ethical culture in defence.

The CF and the DND have a unique relationship with the Canadian people. It is the responsibility of the CF and DND to defend the nation from potential aggressors, but its members also represent Canada and its democratic values in coordinated international defence activities. As a consequence, the scope of the DEP must be broad enough to address national and international ethical situations. Because the DEP assumes that any decision or action that might affect people is of potential ethical concern, it demands "a duty to consider and protect the rights and interests of people when making decisions and taking action" (*Handbook*, p. 30). The DEP applies to all members of the CF and DND. It provides an ethical framework, promotes the individual awareness of the ethical content in situations, commits itself to developing members moral and ethical decision making, and integrates the processes to implement ethics into the CF and DND (*Handbook*).

CF/DND Approach to Defence Ethics

As an overall objective to "ensure that members of the CF and employees of DND perform their duties to the highest ethical standards", to "continuously improve [their] ethical conduct", and to "encourage and support ethical decision-making", the DEP has rightly adopted a "top-down normative value-based" approach to support this (*Handbook*, p. 29). As stated in the *Fundamentals*, a value-based approach does not seek to identify and codify what should or should not be done. Instead, "it states in general terms what is desirable", leaving room for interpretation. The value-based approach adopted by the DEP stands in contrast to other approaches to ethics.

Compliance-based approaches, on the other hand, usually consist of strict codes of conduct, those that merely state what actions are permitted or prohibited. This kind of approach can be deficient in fostering ethical attitudes and action because actions that are not "explicitly prohibited" may be interpreted as acceptable. Moreover, difficult or unresolved moral questions have recourse to political or legal institutions for ready made solutions. This does not resolve *per se* the moral ambiguity of an action. The objective is not to determine if the action in question *is* right or wrong. Rather, it provides a formal system to provide clear guidelines about the conditions under which the action is permitted or prohibited.

The preventative approach to ethics is deficient too, because, as stated in the *Fundamentals*, it merely locates behaviours that are expected to be of high risk of non-compliance and concentrates its resources on these specific areas, to the potential neglect of other areas. It fails to fully integrate ethics throughout the organization.

By comparison, the value-based approach is meant to encourage an individual's recognition of the "ethical" in human situations and their volition to ethical decision making and conduct. There is a greater desire to cultivate the ethical in its members, and this operates from within the very foundation of the Canadian DEP.

As the *Fundamentals* point out, the DEP is founded on three basic assumptions about Canadian society. First, because Canada is a multicultural and democratic society, it is characterized by a "multiplicity of comprehensive belief systems" (philosophical, religious, moral, etc.). As John Rawls (1993) explains, a belief system is "comprehensive when it includes conceptions of what is of value in human life, and ideals of personal character, as well as ideals of friendship and of familial and associational relationships, and much else that is to inform our conduct, and in the limit to our life as a whole". The multiplicity of comprehensive belief systems form "the 'background culture' of civil societies" (Rawls, 1993, p. 14). In order to reconcile the multiplicity, there exists an "overlapping consensus" in values pertaining specifically to a democratic and free society. Ideally, the consensus is wide enough to bridge the gap between belief systems and to allow for the institution of principles and obligations in the public space. The overlapping consensus should also be broad and reasonable enough to be endorsed by all of the belief systems from their unique positions (Rawls, 1993). As the *Fundamentals* indicate, the overlapping consensus refers to "basic principles and obligations, such as the background principles and obligations formalized in the Charter that constitute the public domain of a democracy" (p. 27). These principles and obligations influence both how Canadians expect to be treated as well as how Canadians assess governmental responsibility, such as defence of the nation. It is, therefore, reasonable to assume that a democracy will give value to defence, and that there is a set of principles and values particular to defence, which are represented in the *Statement of Defence Ethics* (*Handbook*, p. 27). The following sections describe these principles and obligations in more detail.

Guiding Principles

The *Statement of Defence Ethics* contains three hierarchical principles:

- Respect the dignity of all persons.
- Serve Canada before self.
- Obey and support lawful authority.

According to the discussion in the *Fundamentals*, the ordering of the principles "refer[s] to universal ethical obligations owed to humanity, society, and lawful authority" (*Handbook*, p. 32.). These are intended to reflect something essential in the Canadian psyche, and how we understand ourselves as Canadians.

The ultimate principle, "Respect the dignity of all persons", demonstrates Canada's desire to be a member of "one human family". The respect owed to others reflects the belief that all human beings ought to be treated as ends in themselves, and never merely as means to an end. Human beings should not be measured in terms of economics, efficiency, or any other instrumental values. People should be measured simply by their humanity. Consequently, all human beings demand certain inalienable rights and freedoms to protect their humanity.

The second principle, "Serve Canada before self", affirms the functional responsibility of the CF/DND as an institution of a democratic government to serve the people. The third principle, "Obey and support lawful authority", represents the respect for the general rule of law and "the lawful policies, directives, and orders of superiors in the chain of command" (*Handbook*, p.34). But no one is above the law, and some commands might be deemed *un*lawful as a result of either command or personal conscience. Thus, each individual must be in a position and have the support to refuse *un*lawful authority because ultimately members are responsible for their own actions.

The three general principles in the *Statement of Defence Ethics* are to be viewed as hierarchical. In situations where there are competing principles, Principle I takes precedence over Principles II and III, and Principle II takes precedence over Principle III. For example, "Respect the dignity of all persons" is more important than "Serve Canada before self", which is itself more important than "Obey and support lawful authority". In circumstances where a person has conflicting principles, it is argued that he or she should choose according to this ordering. Presumably, a moral agent would trump obedience to lawful authority if it meant that a failure to do so would disrespect the dignity of another person.

Unlike the three principles, the six obligations outlined in the *Statement of Defence Ethics* are not hierarchical in nature. Rather, they are all considered equal and each must be adopted as adequately as possible.

Obligations

The six obligations outlined by the DEP are standards of conduct for all CF/DND members. These obligations are binding responsibilities or duties to be fulfilled. They include the following:

- Integrity - "the requirement to consistently give precedence to ethical values in our decisions and actions" and maintain "a consistent alignment of moral awareness";
- Loyalty - the "faithful commitment [or allegiance] to something that has purpose, meaning, and value";
- Courage - the ability to confront "anything that is recognized as dangerous, difficult, or a cause of pain, instead of avoiding it";
- Honesty - the practice of "frankness, sincerity, and openness in dealing with others";
- Fairness - the just, equitable, and impartial treatment of people, groups, and situations; and
- Responsibility - the expectation that "individuals and organizations readily and fully assume what is expected of them" and "that they are expected to be answerable to someone for their decisions and outcomes" (*Handbook*, p. 35-38).

The obligations of integrity, loyalty, courage, honesty, and fairness are all straight forward. However, the obligation of responsibility is a little more complex and thus should be outlined in greater detail. Responsibility is more than fulfilling the obligations of a particular role and being accountable. As the *Fundamentals* holds, responsibility also demands the *care* of subordinates and the obligation to non-injury. This is particularly important for the CF.

The obligation of care for subordinates acknowledges the dependent relationship that exists between an officer and his or her subordinates, as well as the great power and authority that the former has over the latter. A person in authority is responsible for the well-being of those in his or her command. This "positive" obligation on behalf of those in command reciprocates the "trust, loyalty, and service of subordinates" to the dependent relationship. The obligation of care can be further strengthened by "our natural ability to empathise with other human beings" (*Handbook*, p. 15), and the consequent obligation of non-injury. According to the *Handbook*, this obligation stems from the "universal value placed on the inherent worth of each human being and inviolability of certain basic human rights". It is believed that caring for and empathising with other human beings naturally obliges individuals to take responsibility for the well-being of those who are in our command. Care, however, is not unidirectional. Subordinates must also be caring of their superiors.

The paradigmatic foundation of the DEP not only anticipates varying ethical positions when considering the principles and obligations for the CF/DND, it also takes into account the responsibility of the individual as a moral agent. Reflecting the fact that the CF/DND is an institution of a democratic and free society, the DEP encourages individuals to exercise and participate in ethical judgement and decision making. Indeed, from the common ground of reasonableness, or public reason, people are expected to actively engage in ethical ideals and to exercise their autonomy. The DEP provides the space for individuals to raise ethical issues and to choose ethical action. Even with clearly outlined principles, individuals will confront ethical decisions that are complex and do not have immediate solutions, which they personally have to resolve. Unique to the principle of obedience to and support of lawful authority, however, the DEP argues that, individuals are responsible for their own actions.

What is a moral dilemma?

The *Fundamentals* identify three kinds of moral dilemmas:

- Uncertainty dilemma;
- Competing obligations dilemma; and
- Harm dilemma.

In the uncertainty dilemma, whether an action is right or wrong is ambiguous. The example that is provided in the *Fundamentals* is the acceptance of gifts of "nominal" value. It is stated that one can accept gifts of "nominal" value only. The challenge facing the decision maker is that one might not be able to clearly determine whether a gift is of "nominal" value. More generally, in many cases, it may be impossible to know the outcome of the ethical decisions that one needs to make.

The competing obligations dilemma is the most commonly known dilemma. This dilemma occurs when an individual ought to do two incompatible actions. In such cases, moral agents find themselves juggling two obligations, but are only able to fulfil one. It has been argued that a conflict of this nature is a result of either inconsistency in the principles from which they derive or a plurality of principles. As Ruth Marcus (1980) holds, it is wrongly asserted by some that the dilemma can be simply resolved by "hedging principles with exception clauses, or establishing rank ordering of principles, or both, or a procedure of assigning weights, or some combination of these". But, the problem with a hierarchy of principles like in the *Statement of Defence Ethics*, for instance, is it does not release us from fulfilling the supplanted principle. In many cases, for example, simultaneously honouring one's obligations to warring factions may be impossible, and one may be forced to trade off one's personal sense of loyalty in place of the performance of a direct order geared to ensure the survival of the highest number of people. Competing obligations may arise from many different sources, including one's personal value system, one's orders or the standing rules of engagement, or from the situational constraints in place at a given time. In military contexts, the impact of competing obligation dilemmas can be especially pointed, because the consequences from failing to fulfil one obligation over another can be severe and, in some cases, fatal. It is possible that there will be a residue of guilt from the failure to fulfil one obligation. So though it might have been right to supplant one obligation for another, individuals may find themselves wrestling with their own personal conscience.

The *Fundamentals* also identify the harm dilemma, which refers to situations in which harm or injury will necessarily come to others. An ethical decision of this kind will guarantee that some people are harmed at the command of the decision maker. The burden that comes with this may be difficult for decision makers to cope and live with. This is evident in the anecdotes of General Romeo Dallaire. In *Shake Hands with the Devil,* he explains that he and his men could not save everyone from being murdered, and he continues to shoulder the responsibility of his decisions. He states: "As men, we do not play God well, but the situation demanded that in some cases we had to choose who lived and who died." Part of what prevents Gen Dallaire from coping effectively is that to this day he truly believes that had he the adequate support from the UN and honest commitment from participating nations, he would have been able to prevent the death of innocent lives. Gen

Dallaire cites the inappropriate UN mandate and its ROE, the poor deployment of resources, and the decision making in the DPKO (UN Department of Peacekeeping Operations) as barriers to his mission. Hampered by external influences, he still cannot renounce his own personal responsibility for the deaths of innocent lives. Although he was forced to make the decisions that he did, he still holds himself as being ultimately responsible.

Thus, ethical decision making extends beyond simply following orders or ROE. As Colonel Matthews points out "the majority of ethical dilemmas occur because of the laws, not in spite of them" (*The Many Faces of Ethics in Defence*, 1996, p. 40). Indeed, "[t]he battle really occurs in the heart" (*The Many Faces of Ethics in Defence*, 1996, p. 40). Right action in difficult ethical situations is often ambiguous. Knowing which principle should be followed or which obligation should be fulfilled will not always be transparent. This challenge is recognized in the *Fundamentals*: "For many complex ethical decisions and situations, doubts as to what was ethically the right course of action may persist long after action has been taken…It is the nature of complex issues that they lend themselves to more than one acceptable way of dealing with them" (*Handbook*, p. 39). To complicate matters further, soldiers will be influenced by their own ethical belief systems, or ideologies. Nonetheless, the *Statement of Defence Ethics* seeks to provide a uniform background for moral and ethical decision making in military contexts.

CF's model of moral and ethical decision making

Within the academic literature, there are several different approaches to moral and ethical decision making. Some decision making models concentrate solely on individual morality as a strong predictor of individual behaviour (e.g., the work of Kohlberg) whereas others have adopted a person-situation interactionist approach, which explores the relationship between an individual's environment and his ethical behaviour (Trevino, 1986). Some models have focused more on the situational factors (e.g. moral intensity, Jones, 1991), while others have concentrated on contextual factors (e.g. ethical work climate, Victor & Cullen, 1988). Many aspects of these models appear to have influenced the model proposed by the DEP, and some aspects have even been incorporated into the DEP model.

In keeping with influential (if not dominant) models of decision making, the DEP model for moral and ethical decision making is essentially a rational, linear one. Traditional ideas of decision making, such as expected utility theory (EUT) or prospect theory (PT), are normative. As such, decision makers are provided with rules, i.e., axioms that they ought to follow when making a decision. These models differ from descriptive models of decision making. Unlike the former, which provides decision makers with axioms that they should follow, the latter models attempt to describe how people actually make decisions. In a subsequent chapter, we will further explore the contribution that descriptive models have in understanding moral and ethical decision making. At present, however, it is important to recognize that the DEP is based on a rational, normative model of decision making. It is also important to note that the DEP's model is founded on the assumption that "any decision making process, whether it involves issues that are ethical or ethically neutral, is basically the same" (*Defence Ethics Handbook*, p. 39). The DEP, therefore, explains that the process of moral and ethical decision making consists of the following four steps:

1. perception (recognizing what is ethical in the situation);
2. judgement;
3. decision on action; and
4. action (including non-action).

According to the *Handbook*, the first step of the process refers to individuals' astute observations and subsequent interpretation of the situation. The second step is formulating an ethical judgement, which entails careful consideration of observations, identification of relevant factors, thinking through the moral issues, and formulating a judgement to minimize competing factors. The third step of the decision making process is making a decision about the appropriate action. The *Handbook* explains that this step brings into full view the impact of potential consequences. The final step, action, includes how unforeseen resistances impact our choice.

The Defence Ethics Program identifies several sets of factors that influence the decision making process, depicted in Figure 2 below.

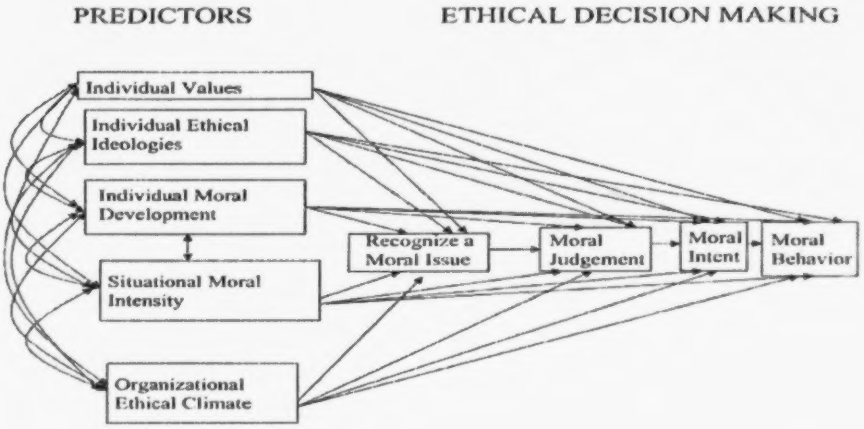
PREDICTORS
ETHICAL DECISION MAKING
Individual Values
Individual Ethical Ideologies
Individual Moral Development
Situational Moral Intensity
Organizational Ethical Climate
Recognize a Moral Issue
Moral Judgement
Moral Intent
Moral Behavior

Figure 2: DEP Moral and Ethical Decision Making

These factors, however, do not work in isolation. The DEP model argues that ethical decision making is not influenced by direct, linear and unitary predictors but by many different predictors including individual, situation-specific and contextual factors. This assumption of indirect, rather than direct, effects argues that the effects of each component are likely to be relatively small. Moreover, some effects may exert a greater influence on some than they do on others. Each of these factors is discussed in turn in the sections that follow.

Individual Values and Beliefs

The *Handbook* makes a distinction between our private lives versus our public lives. In the former, individuals' values and beliefs are driven by their participation in family, religion, and other organizations. According to the DEP, this is referred to as "private morality" (*Handbook*, p. 60). Public life, on the other hand, refers to an individuals' participation in the CF/DND. There is likely some overlap of individual values and beliefs and organizational values and beliefs. However, the *Handbook* is careful to maintain that they are separate dimensions of our lives (*Handbook*, p. 60). Indeed, the DEP is founded on the assumption that individuals within the CF/DND will draw from the multiplicity of comprehensive belief systems that is characteristic of Canada. Each person, therefore, will be shaped by his or her "religion, ethnic group, family environment, education, up-bringing, life experiences, etc." (*Handbook*, 60), prior to becoming a member.

An individual's general values and beliefs will influence his or her ethical decision making (*Handbook*, 1999; Kelloway, Barling, Harvey, and Adams-Roy, 1999), sometimes positively and other times negatively. For example, a male soldier who holds a traditional view of the role of women, may find it difficult to accept women into the military. In a democratic society like Canada however, all individuals are free to follow their own career path, irrespective of sex.

It is of particular importance in the CF that service to Canada, and hence the adoption of the organizations' democratic values and beliefs or codes of conduct, supersedes individual values and beliefs. This is stressed in the second principle, "Serve Canada before self". The current research on the adoption of organizational code of ethics suggests that organizations attempting to seize on individuals' values and beliefs through organizational codes of ethics have greater success if there is congruence between individual and organizational values and beliefs (e.g. Laczniak & Inderrieden, 1987 cited by Kelloway, Barling, Harvey, and Adams-Roy 1999). This fact underscores why the DEP is founded on democratic values that can be held by all individuals living in Canada as opposed to say Christian values. As Rawls (1993) argues, no one comprehensive belief system should dominate. Instead, each is "situated within the larger democratic and 'public' context" (*Handbook*, p. 61).

Individual Ethical Ideologies

Typically, individuals do not generate principles on their own. Moral ideologies exist within society, and individuals personalize them one way or another. Though the DEP endorses a broad set of ethical principles and obligations through its democratic assumptions, moral decisions are, nevertheless, ultimately personal. That is, society does not readily hold organizations, culture, situations, or context responsible for an individual's moral behaviour. External influences help society understand more accurately why individuals might opt for one course of action over another. As a result, individuals require a personal set of ethical principles to justify moral and ethical decisions (Matthews, 1996). For example, personalization can be a product of long or short indoctrination or it can be a product of conscious acceptance. Whatever the means of adoption, an individuals' ethical ideology will partially determine ethical decisions.

The DEP highlights five Western ethical philosophies as a basis for understanding how individuals make ethical and moral judgements with respect to right action. Loosely put, moral theories that are based on judgements of obligations are called deontological. One example of a deontological approach explored in the DEP is a rule-based approach. On the other hand, ethical ideologies that are based on judgements of value and which aim at a specific goal, such as happiness or care for others, are known as teleological. The DEP has labelled these approaches consequence-based, care-based, self-interest, and virtue-based. Each of these ideologies is described in more detail below.

Rule-Based

A rule-based approach to ethics is concerned with the rightness or wrongness of an action irrespective of its consequences. Using rule-based ethics, according to the DEP, involves "check[ing] to see if there is a rule that covers the situation" (*Handbook*, p. 68). More significantly, the rule of law is said to be binding without any references to the consequences that might ensue from complying with the law. In its extreme, an action is considered right or wrong with no appeals to the anticipated effects of a particular action and no appeals to social convention or our emotions, such as feelings of empathy or sympathy. Actions are right or wrong *in themselves*. The challenge, of course, is coming to *know* which one is right and which one is wrong.

The most well known rule-based ethicist, Immanuel Kant believes that moral agents come to know what actions are right and wrong through the legislating capacity of reason. If actions are to be obligatory, he holds, they must include "the concept of a necessity that is unconditioned and indeed objective and hence universally valid" (Kant, 1785, p.26). For Kant, this can only be accomplished if reason remains impartial to the consequences of our action, personal inclinations or societal influences (including theological frameworks). Kant's moral philosophy requires that for any given "subjective" obligation, moral agents must ask themselves if they can reasonably make it a universal practical law, called the *categorical imperative*, which states: "act upon a maxim that can also hold as a universal law" (Kant, 1797, p. 17). By using the categorical imperative, Kant concludes, we will achieve universal moral laws, which are right or wrong *in themselves*. That is, when one's reason subjects a given maxim to a test of universalizability, if it is logically coherent for all situations, at any time and place, then it becomes an obligation. The capacity for human reason leads to another formulation of the Categorical Imperative, which demands that people should be treated as ends in themselves, and not merely as a means. This is reflected in the first principle in the *Statement of Defence Ethics*, "Respect the dignity of all persons".

Speaking to an audience at Wilfred Laurier University, Gen Dallaire (2003) provided a military dilemma that illustrates the limitations of a rule-based ethical approach. He asks the audience to imagine themselves in the following situation. You and your section, he begins, are part of a U.N. contingency in Rwanda. You come across a group of civilians bleeding on the side of the road that are in need of *immediate* attention to survive. Many people in Rwanda have the HIV disease, which means that if you order your section to assist, you may be putting your section in danger of contracting the disease. "Rubber gloves are not usually a part of a soldier's kit!"[4] As a commanding officer in the Canadian Forces, your obligation is to protect your section. At the same time, you have an obligation to help those who are in need. Unfortunately, the categorical imperative would not be able to help you because, by necessity, you are required to do both, which is not an option. Instead, you either order your section to go on and leave those in need, thereby eliminating the risk to your section; or you order your section to help, putting your section in risk of contracting the HIV disease. This example shows how rule-based approaches may be inadequate in making ethical decisions as two rules can easily conflict. Kant would hold that for a maxim to be a universal law, it must hold in *all* cases *and* in any place or time. It is objective practical necessity that I do *x*. However, it does not provide us with any recourse if we have conflicting moral principles or obligations, like in this example.

Another problem with Kant's moral philosophy is its reliance on *free, unencumbered* reason. When determining what action is right, it is very difficult to remain impartial to the consequences of our actions. In fact, in some cases (e.g. with respect to the people that we love), we may not even be motivated to do so. Taken together then, rule-based approaches to ethics have several limitations.

Consequence-Based

The DEP interprets a consequence-based approach as one where individuals "assess the likely results of the action and judge its value accordingly. This value provides the basis for deciding what should be done" (*Handbook*, p. 69). Alternatively, consequentialism is, simply put, primarily concerned with actions that maximize the good consequences and minimize the bad consequences. Because consequential moral theories are based on an obligation of value and the desired realization of that value, there is no reason to conclude that they all attempt to maximize the same good consequences. These may vary according to different consequentialist theories. An obligation to value does not need to be limited to consequences that merely seek the maximum happiness and the minimum unhappiness. The desired outcomes can be much more broadly defined to include values such as understanding or the depth of personal relationships, to name but two. Consequential theories can also include moral goods such as equality and respect for the rights of others.

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[4] Though this was true when Dallaire was in Rwanda, United Nations Military Observers (UNMO's) are now equipped with rubber gloves.

However, in the most classic version of a consequence-based theory, Utilitarianism, espoused by John Stuart Mill, moral agents are obliged by the principle of utility to maximize the intrinsic good, that is, happiness, and minimize the intrinsic bad, that is, unhappiness. In a consequence-based approach to ethical decision making, no individual counts more than another, and moral agents are expected to remain impartial when determining the happiness of all those impacted by our decision, that is, relationships among other things are not allowed. In the strictest sense, the right course of action promotes the greatest amount of happiness or prevents the least amount of unhappiness. Only actions that successfully achieve this goal carry moral value and are deemed "right". Further obligations, such as truth-telling or promise keeping, are secondary and derivable from the foundational, first principle of utility. In a military context, then, using a consequence-based approach, a force commander could morally justify ordering a section to remain in position as the enemy advances, knowing that they will perish, in order to ensure the safe evacuation of many refugees.

A significant criticism waged against consequence-based approaches like Utilitarianism, however, concerns the very measure of happiness. One might argue that the happiness of the refugees does not outweigh the happiness of the section. This is not a trivial point; it certainly matters to those in the section whose fate is uncertain. Thus, what appears to be a rather quick solution for determining the rightness or wrongness of an action actually remains highly controversial. There is no way of measuring happiness, or for guaranteeing consequences for that matter. Moreover, Utilitarianism treats special kinds of relationships, such as that between a commanding officer and his subordinates, very lightly. Another criticism concerns the kinds of relationships that we have with others and the special obligations that stem from these. A commanding officer cannot ignore the obligation he has to his section. Indeed, in the Fundamentals of Canadian Defence Ethics, a commanding officer is "responsible for the well-being of those [he] lead[s] and whose care is in [his] hands", which "is especially binding on those with relatively greater power" (*Fundamentals*, p. 38). It further states that taking care of "military subordinates" is a very important "ethical responsibility" because "mutual dependence is critical in military operations and because military superiors are granted exceptional power and authority over their subordinates". Care requires the "positive" obligation that a commanding officer has toward his section. This incongruity shows a possible problem with consequence-based ethical ideologies.

Care-Based

The DEP interprets a care-based approach as one that emphasizes "the humane treatment we are all owed as human beings" (*Handbook*, p. 70). As outlined above under the obligation of responsibility, this is a "positive" right that not only a commanding officer owes his or her subordinates as an expectation of the relationship but a "positive" right a subordinate owes their commanding officers.

As a departure from moral theories that encouraged an abstract and impartial approach to moral judgement argued to be more typical of men than women (Gilligan, 1982), feminist critiques emphasized the importance of empathic relations with others and the strong sense of responsibility and caring that accompanies these relations. Carol Gilligan (1982) showed that women view themselves as being part of a network of relationships, which were obligatory to maintain. Moral theories that focus primarily on rules and principles, fail to recognize both the impact of the moral emotions, such as sympathy and love, and the particularity of the situations on moral judgement and subsequent moral action. Moreover, generalized rules cannot take into account the very particular nature of the moral situation. A care-based approach, therefore, encourages emotions that develop out of intimate personal relationships.

Dallaire supplies a great example that embodies this ethic in *Shake Hands with the Devil*. As Gen Dallaire recognized his own "deterioration of health", he asked to be "relieved of [his] command sooner than planned" (Dallaire, 2003, p. 501). This occurred relatively quickly because, unbeknownst to Gen Dallaire, his subordinate kept the proper authorities at the DPKO informed of his declining condition. Gen Dallaire explains that his subordinate did this "out of love and loyalty to his old friend and commander" (Dallaire, 2003, p. 501) Thus, his subordinate showed "loyalty" to himself and the "courage" to notify superiors at the DPKO.

One charge against an ethic of care is that in some cases it would seem more appropriate to remain impartial when considering the wrong doings of moral agents. For example, if a soldier perpetrates a crime, such as an unlawful killing on a peacekeeping mission, it would be morally wrong to offer impunity (or a reduced sentence) out of sympathy and love in the case of a friend and act punitively in the case of a soldier who was not a close friend. Though an ethic of care will undoubtedly influence moral and ethical decision making, and it is hence a relevant component, a moral theory should not discard the more traditional categories of obligation.

Character, or Virtue-Based

From a virtue-based ethical ideology, the decision for right action "depends on the character of a person" (*Handbook*, p. 70). The DEP explains that "[p]roponents of this approach argue that most of the situations in life that require action of any significance do not have ready-made rules (rule-based) and do not provide sufficient reliable data to allow accurate forecasting of effects and consequences (consequence-based)" (*Handbook*, p. 70). Virtue ethics, therefore, is quite different than the ethical theories outlined above in that it is concerned with the character, or *dispositions*, of an individual and not with action that conforms to an impersonal principle. Moral agents cannot rely on a previously established rule that is universally applicable for a particular course of action. Rather, the virtuous individual rationally determines the rule at the time of the situation. A virtuous individual seeks to answer the question: "What *kind* of person do I want to *be*?"

The historical underpinnings of virtue ethics can be traced to Aristotle. For Aristotle, virtue is "a state of character concerned with choice, lying in a mean, i.e., the mean relative to us, this being determined by rational principle, and by that principle by which the man of practical wisdom would determine it" (1106, b36-1107, a2). The "doctrine of the mean" is essentially *choosing well* between alternatives by way of our essential, rational judgement in multiple situations. The choice requires that moral agents, deliberately and voluntarily, choose a course of action that is a middle ground between two vices, excess and deficiency. According to Aristotle, this choice ultimately aims at the *one* good, that is, happiness. An individual who has the virtues – courage, temperance, wisdom, justice – will achieve the good over the course of their lives. In other words, possessing virtue comes with experience, learning and habit.

It is argued that a soldier will demonstrate his or her courageous disposition when s/he chooses the mean between cowardliness and foolhardiness. Aristotle holds that a soldier has the capacity to subdue fear and enter into the battle bravely, despite the constant threat of death. The cowardly soldier might simply turn and run; whereas, the foolhardy soldier might storm into danger, unaware. Aristotle argues that both cowardliness and foolhardiness are vices, the former associated with fear and the latter associated with excessive spiritedness. The virtuous soldier would choose the "relative" mean. Consequently, virtues need to be understood as elastic. In some cases, action in one situation could be denoted as courageous, but, in another situation, foolhardy. As MacIntyre points out, "judgement has an indispensable role in the life of the virtuous man which it does not and could not have in, for example, the life of the merely law-abiding or rule-abiding man" (MacIntyre, 1984, p. 154). Mere compliance to law will not cultivate the virtuous individual.

One challenge with a virtue-based approach is that human nature provides the natural basis for understanding *the* good for human beings. For Aristotle, natural underpinnings will prevent a slide into relativism in ethics, as nature provides an apparent objective justification. However, many times what people determine to be natural in human conduct is simply conventional.

Self-interested, or Egoism

The *Handbook* does not outline the self-interested approach to ethics. However, Kelloway, Barling, Harvey, and Adams-Roy (1999) raise it as an option in the Baseline Assessment of Ethical Values in DND. Briefly put, ethical egoism is a normative theory holding that actions ought to be undertaken from the position of self-interest. The only moral responsibility is to the self.

This is not a sustainable approach, however, for a couple of reasons. First, the proposition that everyone ought to act to fulfil their own personal good itself is problematic because it cannot be desirable for others to pursue *their* good, especially when it conflicts with one's own. Holding to such a position secretly will not do either; simply put, this is not morality. Secondly, much of what people want or desire is not actually in their self-interest. Indeed, there are times when we engage in behaviour that is self-destructive. Ironically, it might be in one's self-interest to opt into a "social contract" or some kind of moral arrangement, which puts limitations on self-interested activities, given the challenges people face when seeking simply to satisfy their own needs at any cost.

Of course, serve Canada before self is in direct conflict to this approach to ethics.

Overview of Ideologies from CF Perspective

A review of the five ethical theories outlined above shows that the *Statement of Defence Ethics* incorporates some of the tenets from each. For example, the principle to "Respect the dignity of all persons" derives from the Kantian Categorical Imperative. It is argued that given our ability to determine universal practical law from reason, we have the capacity to be an end in ourselves, and therefore should never be treated merely as a means. Some of the obligations, such as courage and honesty, can be understood as virtues. And the obligation of responsibility adopts a component of the ethic of care. As such, the CF approach to ethics attempts to use all of these ethical ideologies in defining the determinants of ethical decision making.

Individual Moral Development

Although multi-determined as a whole, the DEP does argue that ethical decision making is impacted by one's personal level of moral development. The work of Lawrence Kohlberg has been instrumental in elucidating the process of moral development and fostering new theories in moral decision making. In short, Kohlberg presents a cognitive-developmental view of moral reasoning, and suggests that moral development moves successively through multiple stages, coincident with the progression of moral values (Kohlberg and Hersh, 1977).

In the pre-conventional stage, moral reasoning evolves first around avoiding punishment, and secondly around one's own needs and desires. Individuals are motivated to act or not act based on external rewards and punishments. In the conventional stage (characteristic of most of society), moral reasoning evolves around avoiding the rejection or disapproval of others, and then around adherence to laws and obligations. This stage of moral reasoning is consistent with the compliance-based approach found above, and therefore, carries the same criticisms. It is argued that only a few people progress to the post-conventional stage. Here, moral reasoning stems from mutuality and interest in the wellbeing of others, and then stems from one's own sense of right and wrong, or one's own moral conscience. At this stage, actions are guided by universal principles.

Lieutenant-General Dallaire's decision to commit himself and UNAMIR to Rwanda is an exemplary case of action guided by a person with a high level of moral development as well as the embodiment of many of the principles and obligations outlined in the *Statement of Defence Ethics*. On the edge of civil war in Rwanda and with an expired UN mandate to implement the Arusha Peace Accord, Gen Dallaire had to decide instantaneously whether to extend UNAMIR. He knew that the UN Security Council viewed the growing tension among the political parties as a "red flag", and that they were considering withdrawing UNAMIR, leaving Rwanda to its own fate. Nevertheless, Gen Dallaire acted on his own sense of moral rectitude, and committed UNAMIR to Rwanda. He simply viewed any withdrawal of UNAMIR as "immoral". He reflects, "I couldn't abandon the people who had trusted the international community to help them" (Dallaire, 2003, p. 239), knowing that these same people would be massacred had they no protection from UNAMIR. In this sense, Gen Dallaire can be praised for adopting a moral position that stands outside politics, law and economics, and embracing the CF and Canadian ethical demand to respect the dignity of all human beings, including the Rwandans in his care. He implores that "they were individuals like myself [sic], like my family, with every right and expectation of any human who is a member of our tortured race" (Dallaire, 2003, p. 213). With determination, he persevered and took full responsibility for the decision he made, knowing that his decision would threaten and risk the individuals serving alongside him as well as directly threatening the Belgian soldiers who were detained by the "extremists" and eventually died at their hands. In contrast, the language of the DPKO expresses their desire to distance themselves from moral responsibility. In a cable to Gen Dallaire inquiring about the consequences of those in his care if UNAMIR was to withdraw, they described the Rwandans as those who had "taken refuge" with UNAMIR as opposed to those who were "under UN protection" (Dallaire, 2003, p. 312).

The DEP also recognizes the need to view moral development outside the strict focus on moral judgement that is synonymous with Kohlberg. Studies on the development of the skill to make sound moral judgements have shown that there is a weak link between knowing what is right, and actually doing what is right (Rest, Schlaefli, & Thoma, 1985 cited in the *Handbook*, p. 42). In other words, soldiers may know that abandoning their post to save themselves is morally wrong, and nevertheless act contrary to this judgement in operations. As the *Fundamentals* documents, Rest (1994; cited in the *Handbook*, p. 42) believed that to understand moral development, the concept had to be broadened beyond mere judgement. The process of moral decision making itself was of interest. He considered four components, which are delineated in the *Fundamentals* as: (1) moral sensitivity, which refers to the ability to recognize a moral situation; (2) moral judgement, which is limited to the act of judging the rightness or wrongness of an action; (3) moral motivation, which refers to the prioritization of moral values over other values; and (4) moral character, which contain elements of the individual, such as perseverance, courage, etc.

Moreover, Gilligan (1982), with her observations that Kohlberg's theories were too impartial and objective, concentrating solely on issues of justice as opposed to moral emotions and the impact of intimate personal relationships, reminds us that moral decision making and consequent behaviour is not made *outside* the situation. Linda Klebe Trevino (1986; cited in the *Handbook*, p. 42) insisted correctly in her person-situation interactionist model that Kohlberg's focus on the individual as the main predictor of moral behaviour neglected the impact of the environment. As well, Martin Hoffman (1991; cited in the *Handbook*, p. 42) emphasizes the ability to empathize with others. He believes that people have an intrinsic capacity to foster an affective response to another's thoughts or feelings. Empathizing invokes our moral awareness and activates our moral principles. It can be developed through socialization, and thus is relevant to moral development (Hoffman 1991; cited in the *Handbook*, p. 42).

Recognizing that ethical behaviour and development are the result of the dynamic between individuals and their environment (*Handbook*, p. 42), the DEP has integrated various approaches to moral development into its theory and research. Maintaining three broad Kohlbergian stages of moral development, responsiveness to rewards and punishments, conformity to societal expectations, and determined by universal values and principles, the DEP holds that throughout life it is plausible to assume that an individual will move between stages. For instance, it might be appropriate to follow the conventional law until there is justified reason to challenge it. Moreover, the DEP accepts that moral judgement and behaviour will be influenced by moral motivation as well as by context.

Situational Intensity (or Moral Intensity)

Situational intensity (or moral intensity) is another factor in ethical decision making in the Defence Ethics Program model. The work of Jones (1991) argues that when considering an ethical decision making model, it is necessary to include the characteristics of the moral issue (such as, magnitude of consequence, social consequences, probability of effect, temporal immediacy, proximity, and concentration of effect) as an independent variable. Models that do not take this into consideration, he argues, implicitly indicate that decision making processes are identical for all moral issues. Jones holds that this neglect is a failing of other ethical decision making models. Instead, he offers a model that includes the characteristics of the moral issues (in terms of moral and situational intensity) as a significant influence on decision making processes.

The construct of moral intensity derives not from descriptive models of moral decision making, but rather from "the normative arguments of moral philosophers who differentiate levels of moral responsibility based on proportionality" (Jones, 1991). Proportionality, Jones (1991) explains, relates to the type of goodness or evil involved; the urgency of the situation; probability of the effects; the extent of the moral agent's influence on events; and the availability of alternative means. Moreover, legal concepts are also necessary precedents for moral intensity because of the varying penalties of criminal activity, that is to say, sentencing is directly proportional to the evil perpetrated (Jones, 1991).

Jones (1991) Issue-Contingent Model of Ethical Decision Making in Organizations follows:

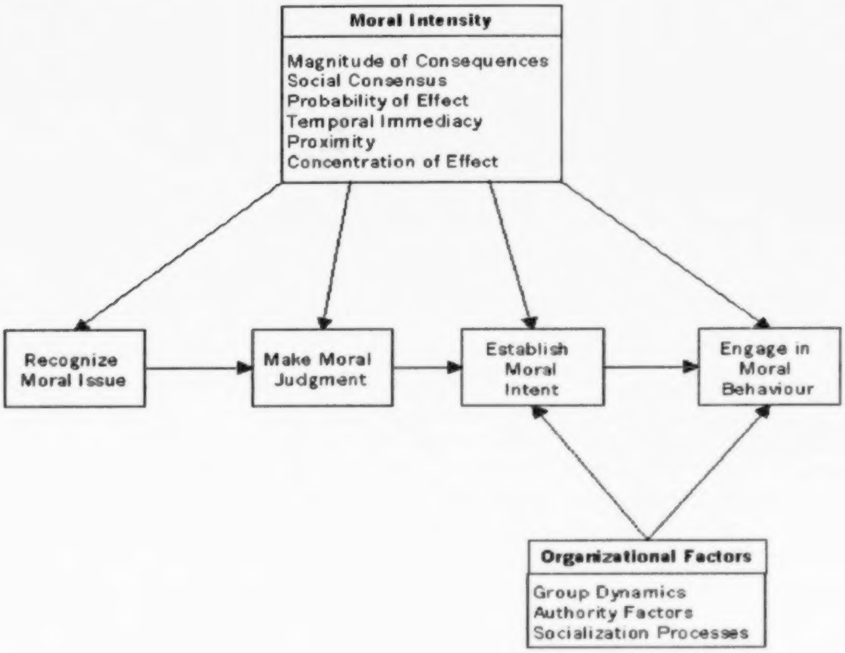
Moral Intensity
Magnitude of Consequences
Social Consensus
Probability of Effect
Temporal Immediacy
Proximity
Concentration of Effect
Recognize Moral Issue
Make Moral Judgment
Establish Moral Intent
Engage in Moral Behaviour
Organizational Factors
Group Dynamics
Authority Factors
Socialization Processes

Figure 3: Issue-Contingent Model of Ethical Decision Making in Organizations (Jones, 1991)

Jones (1991) maintains that ethical decision making is influenced by what he calls the "moral intensity" of the decision, rather than characteristics of the moral agents. Thus, moral decision making can be understood as being "issue-contingent". The moral intensity derives from the following six characteristics, which Jones (1991) believes, interact with one another:

- magnitude of consequence;
- social consensus;
- probability of effect;
- temporal immediacy;
- proximity; and
- concentration of effect.

As Jones (1991) explains, the magnitude of a consequence can be understood as the sum of harms or benefits done to individuals of the moral action. It also includes the number of people impacted by the decision, and the intensity or the degree of the effect. For example, an act that causes injury to 100 people would be of greater magnitude of consequences than the same act that causes injury to 10 people. By the same token, an act that causes the death of an individual would be of greater magnitude of consequences than an act that causes a lesser injury. In other words, shooting at protestors to kill them deliberately has greater magnitude than shooting at the leg to destabilize them.

Social consensus refers to social agreement about the morality of the action. Jones (1991) explains that the immorality of discriminating against minorities for a job position has more social consensus than the immorality of failing to accept employment equity. The impact of social consensus, he argues, helps to remove the ambiguity of right action, where an individual does not know what to do. In a case where a soldier does not know what to do, following orders or ROE will most likely have greater social consensus than disobeying.

The probability of the effect stands for the joint likelihood that the act will take place coupled with the certainty of the harm or benefit given that it occurred (Jones, 1991). Failing to prevent arms caches from landing in the hands of the belligerents will have high probability of negative effect. Jones warns that individuals do not make very good estimates of probability, nevertheless, "imperfect estimates may be adequate to make rough assessments of expected consequences of moral acts" (Jones, 1991, p. 376).

Temporal immediacy can be understood as the length of time between the present and the onset of consequences (Jones, 1991). Events with more immediate consequences have more moral intensity than those with delayed consequences.

Proximity (social, cultural, psychological, or physical) to moral issues also contributes to moral intensity, and the higher the proximity, higher the moral intensity of an issue. According to Jones (1991), the Milgram experiments in the 1960s regarding obedience and personal conscience are good examples of this variable acting on moral imperatives. When asked to administer what were thought to be increasing levels of shocks, individuals' disobedience to the experimenter increased the closer they moved to the alleged victim. One way to comprehend Gen Dallaire's (2003) continued moral position on Rwanda and UNAMIR is based on his physical and mental proximity to the war. Perhaps the moral intensity that drove Gen Dallaire to act as he did is attributable, in part, to the psychological and physical proximity of the situation.

Finally, concentration of effect also influences moral intensity. Concentration of effect refers to "an inverse function of the number of people affected by an act of *given magnitude*" (Jones, 1991, p. 377). Cheating a small group of people of a sum of money has a greater concentration of effect than cheating a large institution of the same sum (Jones, 1991).

As a whole, these 6 factors work together to influence the moral intensity of a situation. It is also important to note that there is some empirical evidence in support of Jones' issue-contingent model. In their study regarding whistle-blowing in organizations, Singer, Mitchell and Turner (1998), for example, demonstrated that ethical judgements are influenced by characteristics of the issue at hand. Individuals who perceived a benefit for a target more often considered the issue's social consensus, magnitude of consequences, and temporal immediacy; whereas individuals who focused on harm were likely to base their ethical judgements on social consensus and likelihood of action (Singer, Mitchell & Turner, 1998). This research also showed a significant relationship between the proximity to the victims of wrongdoing and the felt empathy in individuals judging the situation. Further, Singhapakdi, Vitell, and Kraft (1996) demonstrated that individuals do differentiate between ethical situations, recognizing that some are more morally intense than others. As such, there is some evidence that moral intensity does influence moral and ethical decision making.

Role of Organizational Culture and Ethical Climate

The DEP also identifies the ethical climate within an organization as impacting on ethical decision making. The ethical climate of an organization has been described as "the pervasive characteristic of organizations that affects how the organizational decisions are made" (Victor & Cullen, 1988; cited in Baseline Phase II). It represents the shared understanding of what particular behaviours are right and wrong (Cullen, Victor, & Stephens, 1989; cited in Baseline Phase II). Participation in a given organization requires that members adhere to specific norms. As people work to gain the approval of others, and seek to rely on the opinions of groups that are important to them (Jones and Ryan, 1997; cited in Baseline, Phase I), their decisions will be influenced by the organizational culture around the ethical decisions that they need to make. The culture around ethics, the ways that decisions are made, and the way that ethical dilemmas are dealt with all provide critical information about what the organization values, and how ethics should be manifested within this environment.

Within a healthy ethical climate, climate will positively influence the decision making process from issue recognition to the conclusion (Wyld & Jones, 1997). If the ethical work climate is one of care, for example, then the anticipated level of analysis might take the form of friendship, team play, or social responsibility (Wyld & Jones, 1997). Bartels, Harrick, Martell, and Strickland (1998; cited in Baseline Phase I) found that organizations with a strong ethical climate reported less ethical problems and were able to resolve problems successfully.

However, organizations can have a negative influence on the moral decision making process as well. For example, the Nazi party believed that the German people were a "master" race and Germany was infiltrated by parasitic races, such as Jewish people and "Gypsies". Democracy was supplanted by Fascism because democratic values and political institutions were thought to be destabilizing and weakening the German nation, thereby permitting the minority races to become rich and powerful. Such ideological fanaticism worked its way into many elements of the German military, setting up a depraved organizational climate of superiority, global domination and destruction. As the Nazi values of the 1930s and 40s gained momentum, the ill treatment of the Jews and other undesirables became normative, ushering in one of the worst atrocities in the history of humankind. Clearly, even previously ethical people were impacted by the ethical climate within the Nazi system.

An organization may also impede moral and ethical decision making by perpetuating conflicting agendas. Throughout *Shake Hands with the Devil*, Gen Dallaire provides many instances where the heavy UN bureaucracy, with its procedures and regulations and political manoeuvring, prevented action in Rwanda that he believes might have minimized the killings, if not altogether stopped them. In this sense, he holds the UN partly responsible for the deaths and displacement of hundreds of thousands of people. In effect, he also condemns the UN for placing him in a position to shoulder countless moral and ethical dilemmas, where he tried to ensure the safety of often thousands of innocent civilians as well as his troops. Gen Dallaire conveys his deep sense of abandonment, isolation, and responsibility as force commander when he states: "In Rwanda, there was so much room for interpretation, so much pressure to stay within boundaries, so much difficulty in getting even a mandate from the UN Security Council, that I often based my course of action on my own assessment of what various contingent commanders could handle – with or without their nation's approval" (Dallaire, 2000, p. 40). As the commander of a UN mission, Gen Dallaire was forced to function within the ethical climate advanced by the United Nations, and had a great deal of difficulty doing so. Had the UN had a clear agenda, the ethical decisions that Gen Dallaire made may well have been much easier.

The influence of organizational culture on moral and ethical decision making seems particularly strong within the military system. Its viability and success is dependent on the strict adherence to codes of conduct and chains of command, and the precise orchestration of goal-based activity. Such an organization demands unified and purpose-driven behaviour. Consequently, the soldiers' moral education, moral voice, and moral conduct will be largely determined by that organization. Responsiveness to moral issues will take the form of obedience to orders and/or role expectations. The DEP and the *Statement of Defence Ethics* are acknowledgements of the importance of cultivating a healthy ethical culture in the CF.

Summary

The model of ethical decision making promoted by the Defence Ethics Program provides a complex account of both the process and the factors underlying such decisions. Many different factors, stemming from both the individual, the intensity of the situation, and the organizational climate more generally all influence moral and ethical decisions. This work has a number of implications for a future program of research aiming to explore moral and ethical decision making in military contexts. The DEP model defines a critical process of ethical decision making. This process includes recognizing a moral issue, making a moral judgement, forming a moral intent and then behaving morally. The relationships described in this model should be one focus of a program of ethical decision making research. Questions such as how moral intent is formed, and more importantly, how moral intent is transformed into actual moral behaviour should be an important focus of future work. In other areas of psychology, of course, the relationship between intentions and behaviour continue to be problematic (Ajzen, 1991), and understanding the relationship between these at a moral level is likely to be very challenging. The issue of moral or situational intensity is also very important, and being able to vary the moral intensity of situations experimentally will be an important tool in future research. And finally, the ethical climate within an organization is also likely to be a critical factor in understanding moral decision making within the CF. These are a few areas that we believe would be of great value to explore further.

The processes described by the DEP model have been instantiated in training programs working to bring the spirit of the work into actual practice within Canadian Forces, at the level of both commanders and of individual soldiers. These efforts are described in more detail in the chapters that follow.

5 Implementation Efforts

The purpose of this chapter is to explore how the CF currently trains and promotes moral and ethical decision making. In general, promoting moral and ethical decision making within the Canadian Forces occurs at both direct and indirect levels. Formally, moral and ethical decision making is promoted within the training suggested by the DEP, through military universities, and through direct training to military personnel entering and working within the CF. At a more indirect level, it is also important to consider several other factors and initiatives to encourage value-based moral and ethical decision making within the CF, which include specific initiatives, as well as the promotion and promulgation of the CF ethos. We discuss direct and indirect initiatives in the following sections.

5.1 Defence Ethics Program Training Program

The Defence Ethics Program has created a system of training CF personnel, in order to encourage all members to act according to high ethical standards, to improve their ethical conduct, and to support an environment for ethical decision making. This section describes the implementation structure as well as the specific training courses and materials that have been developed by the DEP.

Implementation Structure of the DEP Program

The DEP itself has a framework for implementation. The management structure includes the Program Authority (Chief Review Services - CRS), an Ethics Advisory Board (EAB), which consists of ethics co-ordinators from Environments and Groups, and other CRS designates. CRS is authorized to raise awareness of policies, guidance and procedure as well as oversee the implementation of the DEP. The framework also includes the allocation of personnel, training, and funding resources, and the establishment and maintenance of an ethics process tailored to the CF/DND needs. The process includes, among other things, policy, expectations, and guidance; requirement for leadership commitment; motivational strategies; and a range of training tools (such as One-day Course: "Introduction to Defence Ethics" and Ethics Toolbox). The material found inside the *Defence Ethics Handbook* is meant to assist "supervisors or ethics advisors in program development, or personal education, or training staffs in formulation of applicable training programs".

As outlined in the *Handbook,* the Environmental Chiefs of Staff (ECS) and Group Principals have the responsibility of implementing the requirements of the DEP within their areas and in "a manner consistent with their organizational cultures". The ECS and Group Principals would further delegate responsibility to Ethics Co-ordinators within the respective organization. The CRS agency is responsible for providing training and awareness support to Commanders, Group Principals and the Ethics Co-ordinators. As well, CRS provides guidance and advice to executives, leaders and managers in CF/DND concerning the DEP.

The Ethics Advisory Board has the responsibility for monitoring, reviewing, and advising training institutions and other applicable programs on appropriate ethics training requirements. The Ethics Co-ordinators are responsible for working with staff to include the dissemination of information on ethics policies, issues, and trends. As well, they are to advise how best to incorporate ethics requirements into business plans, training, orientation and educational programs. The

Administration Personnel must ensure that elements and related ethics training are included in applicable training programs. And all supervisors, within their particular area, are responsible for providing ethical development to their subordinates.

Training Expectations

The training and education is meant to be comprehensive and continuous. The *Handbook* identifies the opportunities for training at the officer and NCM levels. For the former, opportunities should be made at Basic training, Royal Military College (RMC), Classification training, OPDP, Staff Schools, CF Command and Staff College (CFCSC), and Colonel and General officer advanced training programs. For the latter, the training opportunities include Basic training, Trades training, and JLC/SLC. The kind of training varies and is tailored to rank and level. One example the *Handbook* gives is for General Officers. The ethics training will be part of the Advanced Military Studies Course (AMSC) and National Security Studies Course (NSSC), and the General Officers Ethics Focus Session Program. The "Introduction to Defence Ethics" and "Advanced Defence Ethics" are self-study courses that include topics such as leadership obligations and ethical theory, and are made available through Learning and Career Development Centre and Ethics Co-ordinators.

Training Tools

The DEP has also developed several training tools. One example of a training tool outlined in the *Handbook* includes a One-day Course "Introduction to Defence Ethics". It is made available through the Learning and Career Development Centre. The objectives of the course are to provide members with an understanding of the issues surrounding ethics, broadly speaking, and to enhance members' judgement and decision making capacity about ethical issues. However, this course, at best, raises awareness of ethics in CF/DND members. It states from the outset that it has no traditional means for monitoring or determining the success of the course. However, it does presume that individuals will be in a position to monitor their own progress following the completion of the course. This will vary greatly depending on the individual's ability for self-assessment as well as their motivation to do so.

Another example of a training tool is The Ethics Discussion Group Session. Acknowledging the critical role of leadership in advancing ethical development and communication, the DEP "strongly encourages" the use of this session. Its purpose is to bestow supervisors with a framework to effectively discuss ethics with subordinates or staff, openly and honestly.

The *Handbook* also introduces the "ethics across the curriculum" concept. Under this concept, anyone teaching any subject, such as military logistics, operations, or tactics, is required to provide some material that relates to the ethical issues and obligations specific to that subject. Therefore, anyone involved in teaching must have knowledge of the ethical issues particular to the subject matter as well as knowledge of the conduct requirements. It would obviously be advantageous for teachers to have a general knowledge of ethics as well. This suggests that all areas of the CF would have an element of ethics training, irrespective of level and role.

The Ethics Toolbox includes guides and methodologies. For example, it has A Guide to Ethics Focus Session, A Guide to Ethics Inquires, The Ethics Risk Assessment Methodology, Ethics Case Study Analysis Methodology, Ethics in Leadership, and Ethical Obligations Unique to General Officers and Executives.

In the development of the Unit Ethics Plan, a CO is given three directives. First, Before Assuming Command: Leadership Commitment suggests that a CO's personal integrity and adherence to ethical decisions and actions is necessary in promoting a strong ethical culture. As well, COs should try to assess the ethical risks that the unit will likely face (by experience and military knowledge), develop the expectations for ethical conduct and climate, and have a communication plan for sharing expectations.

The second step, Upon Assuming Command: Aligning the Unit, a CO is told to share with the Command Team his or her vision regarding ethical climate and expectations. A proclamation of the vision to the Command Team is meant to highlight the acceptable behaviours for the unit. Working through the unit's ethical risk assessment, with the guidance of the *Statement of Defence Ethics*, is also expected at this stage. A formal Command Team Mitigation Strategy for dealing with ethical risks should be established before any tour of duty. The Command Team should have ethics awareness training to guarantee that expectations are known, understood, and can be implemented. The purpose of the ethical awareness training is to avoid doing the wrong thing when under the stress of an ethical dilemma.

Finally, During Your Command: Addressing Challenges is a sure way of fostering skills and promoting an ethical climate. Leading by example is a tangible means to further ethical conduct. By reviewing the Unit Ethics Plan, a CO will be able to assess how well the unit is fulfilling the expectations. There may be need to make changes that accommodate shortcoming. It is also important that the CO maintains an environment where personnel feel like they can voice their concerns freely without reprisal. Such training tools provide clear and prescriptive advice about how best to promote an ethical climate and to increase ethical decision making.

5.2 Academic Training in Moral and Ethical Decision Making

It would appear that military institutions have the onus to incorporate the ethical decision making (as described by the DEP) into their course descriptions. At the Canadian Forces College, some programs include discussions of ethical issues in a military context. For example, the Advanced Military Studies Course (AMSC) includes the following topics: Just Means in War, which examines the concepts of ethical control and the use of military force; Limits to Military Obedience, which considers ethical issues that present a challenge to extent of military authority and obedience; and Ethics provides a conceptual framework for ethics and ethical reasoning specific to military operations. The ethical discussions in the National Security Studies Course (NSSC) includes understanding moral philosophy, analyzing frameworks for moral reasoning, examining moral issues associated with Military obedience, examining programs to encourage ethical behaviour in military members, and reflecting on the ideas and concepts that connect military professionalism, discipline, ethics, and ethos. The NSSC also includes discussions concerning Canadian legal and human rights issues. The Command and Staff Course (CSC) devotes a full week module to Ethics. What is not immediately apparent, however, is whether the concepts and aims of the DEP are included in these programs. At RMC, one of the degree requirements for completion of a Bachelor of Arts includes a full upper year course, "Leadership and Ethics". In addition, the Canadian Land Force Command and Staff College (CLFCSC) has a fairly comprehensive ethics module. Again, the extent to which the concepts and aims of the DEP are directly incorporated is not known.

The Judge Advocate General (JAG) has mandatory Presiding Officer Certification Training (POCT). This certification is required of officers occupying command positions in the CF and for officers to whom powers of trial and punishment have been delegated by a CO. Further, every superior commander, commanding officer, or delegated officer who already has the POCT must re-certify when the 4 year POCT expires. This is the Presiding Officer Re-certification Test (PORT).

Again, whether the DEP concepts and aims are part of the certification process is unknown. Many courses available at the Pearson Peacekeeping Centre incorporate issues of, or related to, moral interests, such as governance and law, integrity, human rights, etc. After completing one of the foundational courses, intermediate or senior level personnel can take a one week course specific to human rights, "Free and Equal: Human Rights in Peace Operations".

The CDS Guidance to Commanding Officers has a chapter that includes a Commanding Officer's Unit Ethics Plan. Its purpose is to provide Commanding Officers (CO) with a greater understanding of the DEP as a basis for ensuring that they integrate this program into the daily life of the units that they command. It outlines the components of the DEP for which the COs are responsible, and the COs primary contact. It is acknowledged that the CO's Unit Ethics Plan will vary accordingly as the CO progresses through different tours.

5.3 Indirect Approaches to Improving Moral and Ethical Decision Making in CF

Of course, not all of the efforts to improve the quality of the moral and ethical decision making within Canadian Forces occur under the official auspices of the DEP, or within formalized training efforts. Many other systems and mechanisms are in place within the CF to ensure that CF personnel, both commanders and soldiers on the ground level, think and behave morally and ethically, in ways that promote the positive values of the CF as an organization, and which are in keeping with the values and principles important within Canadian society as a whole.

In general, as the last few years have been difficult ones within the CF, core changes in how leadership is defined and conceptualised are currently under way. Key among these is a shift from a focus on training leaders with operational skills to an increased focus on how they accomplish their missions, and on the values that they exemplify in the course of completing their duties. One of the key ways to ensure high quality ethical decision making at both a strategic and operational level is to promote and support highly trained leaders who, themselves, have a strong personal value system and individual ethical ideologies.

One CF initiative that works toward this goal is the promotion of leadership competencies. Within Canada, the push toward the articulation and development of leadership competencies appears to have been most advanced by Karol Wenek (2003) at the Canadian Forces Leadership Institute (CFLI). Competencies are often described as knowledge, skills and abilities. More formally, a competency can be defined as "an underlying characteristic of an individual that is causally related to criterion-referenced effective and/or superior performance in a job or situation" (Spencer and Spencer, 1993). The approach to leadership competencies has typically involved articulating the needs and requirements of a given job or role (e.g. the required outcome), and then working to articulate how this competency can be facilitated (Wenek, 2003). The CF approach to leadership competencies, however, has broadened the notion of leadership competency to requiring a combination of both practical skills as well as promoting professional values and ethics. This is consistent with the CF as a value-based organization. This theme, of course, is also expressed throughout the value-based CF approach to ethical decision making. In order to be fully competent, CF leaders must not only have superior practical skills, but to act in accordance with the established values and standards promoted by the CF.

In order to promote maximal CF functioning, Wenek introduces the CF effectiveness framework, which includes 4 desired outcomes. In this model, mission success is the primary goal, which is facilitated by internal integration, external adaptability, and member well-being and commitment.

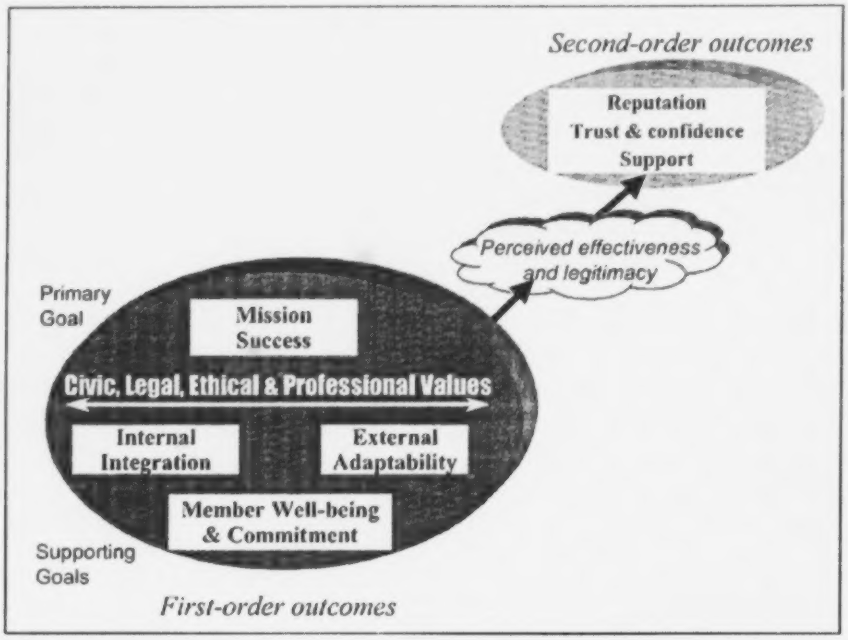
Second-order outcomes
Reputation
Trust & confidence
Support
Perceived effectiveness and legitimacy
Primary Goal
Mission Success
Civic, Legal, Ethical & Professional Values
Internal Integration
External Adaptability
Member Well-being & Commitment
Supporting Goals
First-order outcomes

Figure 4: Major elements of CF effectiveness (Wenek, 2003).

According to the CF effectiveness model, then, being a leader involves both leading people as well as leading the institution, and these outcomes must be performed in a way that is consistent with civic, legal, ethical and professional values in order to be perceived as effective and legitimate at a broader level. Rather than being seen as an add-on to having a high level of practical skills, this work integrates the promulgation of professional ethics and values into the core of CF leadership. This suggests a strong link between leadership competencies and proper moral and ethical decision making within the CF. If mission success is achieved in keeping with ethical, professional, legal and civic values, then reputation, trust and confidence, and support will also be second-order outcomes.

5.4 Assessing the Effectiveness of Moral and Ethical Training in the CF

The Defence Ethics Program designed for the CF has been in place for several years. The next section explores the available evidence that speaks to its effectiveness in promoting moral and ethical decision making within the CF, at both a qualitative and quantitative level.

Informal Observations - One question that we had hoped to answer in more detail is the extent to which the "average" soldier in the CF has been affected by the work and teachings of the DEP. In general, CF soldiers appear to have very little direct training making moral and ethical decisions and there is no evidence that the Defence Ethics Program has been incorporated directly into training. This is not to say, however, that the average soldier is not impacted by the work of the DEP. Each environment, Navy, Army, Air Force, has its own ethics and ethos, which is built on or developed beyond the DND prescribed DEP. Each environment retains the core values, such as loyalty, integrity, etc., so that it is the same for the civilian DND employee and the soldiers. However, in professional development programs, CF personnel are inculcated more with their particular environments' ethics and ethos. For example, Army core values are inculcated and discussed with students and candidates. On the other hand, there are Land staff members who work toward harmonizing the environments' ethics and ethos, the CF, and the Departments' Defence Ethics Program. In this sense, it is difficult to know the exact contribution of the DEP because it might have influenced the current milieu, and/or the leaders that do train soldiers directly.

Senior CF leaders have argued that Canadian troops have a record for conducting themselves ethically in operations. One contribution to this is the outstanding leadership training for both commissioned and non-commissioned officers. Leaders in the CF, including leaders at the junior level, learn to assume responsibility, think proactively, and take the lead. As such, when faced with moral and ethical dilemmas, they have the training, the sense of empowerment, and most of all, the self-confidence to take the initiative. Moreover, as citizens of Canada, CF personnel have a greater understanding of and respect for multicultural, multiethnic issues. Instead of imposing Canadian values on other people, CF members work to understand the values of other nations, other groups in order to approximate reconciliation. In this sense, CF members talk *with* others as opposed to talking *down* to others. One of our impressions in talking with senior CF commanders was that training the ability to make moral and ethical decisions is best left in the hands of direct leaders, rather than having been imposed by a relatively disconnected external body like the DEP. The CF ethos and value system is argued to be inculcated throughout a soldier's career. As such, at more of an indirect level, and at a direct level for commanders, the DEP does appear to have influenced how ethical decision making is viewed within the CF.

Impact on Processes/Doctrine - Another important question is the extent to which the values and standards depicted for ethical decision making and behaviour as indicated by the DEP have permeated how the CF actually performs its duties. This question is an extremely complex one, and one which is very difficult to answer. Of course, the specifications of a defence ethics program might be expected to influence CF processes both directly and indirectly. At a direct level, one might expect to find evidence within future CF processes of approaches and considerations that have been advanced, for example, within the model of ethical decision making promoted by the DEP. At a more indirect level, the DEP program might have the potential to influence doctrine through the value-based dissemination of principles and obligations that are the paradigmatic foundations of the DEP.

The literature that we reviewed from other military systems suggested concrete ways in which ethical considerations could be incorporated into the workings of a military system. Work for the Royal Netherlands Land Army (Verweij, Cloin, & Tanercan, 2000) has actually aimed at integrating their existing model of moral and ethical decision making into the operations planning process, and has defined the four points at which the ethical decision making model can influence the process of making operational decisions.

For example, at Phase 1, Step 2, when a commander is analyzing the task, the commander has the opportunity to indicate limitations and obligations to exercise when values may play a role. This might include giving specific instructions about accepting gifts, about ensuring that the treatment of prisoners is in accordance with the Geneva Convention.

In Phase 1, Step 3: Commander's Directives: the commander again has the opportunity to identify his own personal priorities, or issues to which he wants particular care to be given.

In Phase III, Steps 6 and 7, during the development and analysis of possibilities, the commander can also "indicate restrictions that have an ethical clause". In short, by anticipating the ethical issues that may arise during the course of operations, the commander can identify what he sees to be ethical issues and prevent circumnavigation around such issues.

Lastly, in Phase IV, in making a decision, the commander may fairly weigh all the options, but may decide on one particular mode of operation because it represents the best resolution to varying ethical demands.

Although still fairly rudimentary, this work by the Royal Netherlands Land Army is interesting because it offers a concrete process by which moral and ethical considerations can influence the operations planning process. For commanders struggling to cope with many different aspects of the situation, this provides a clear direction into how moral and ethical issues should impact on this process.

This kind of articulation will ultimately require a good deal of time and effort, in order to be able to integrate such considerations as seamlessly into CF processes. This might help to assure that these considerations are not just given "lip-service" but that they are thoughtfully integrated into the everyday working of the CF. The challenge, of course, is to articulate exactly how the core values outlined in the DEP program should be brought into practice within CF, and this is not a trivial issue, as the relationship between values and actual practice leaves much room for interpretation and debate.

Baseline Assessment of Ethical Values in DND – In the summer of 1998, the Directorate of Human Resources Research and Evaluation (DHRRE) was approached by the Defence Ethics Program (DEP) to develop and test an instrument to assess ethical values within the DND at the military and civilian levels. In essence, then, the task was to develop and validate an instrument that could assess ethical decision making within the DND. Phase I, therefore, consisted of a pilot test of the questionnaire, the Department of National Defence Ethics Questionnaire (DNDEQ). Phase II involved the administration of the questionnaire and results of the collected data. Of specific interest were the ethical values used by individuals in the DND/CF as they carried out their duties, the values that they believe they should be using, the expectations that DND/CF personnel have concerning the DEP, and the ethical concerns of DND/CF personnel.

In preparation for designing the scale, the authors undertook an extensive literature review considering published research in several areas. These included the effectiveness of various corporate codes of ethics, the influence of corporate politics, and the effectiveness of teaching business ethics. This body of research indicated that there was little consensus as to the influences on ethical decision making in organizations and a growing concern that interventions are not effective. After an extensive literature review and the identification of key factors that influence ethical decision making (see Chapter 4 for a description), the authors devised the Department of National Defence Ethics Questionnaire (DNDEQ). This questionnaire measured individual values, individual ethical ideologies, individual moral development, situational moral intensity, and organizational ethical climate. The DNDEQ contained four vignettes designed to assess individual moral reasoning in concert with the moral intensity of the situation. For each vignette, participant rank ordered six potential actions which corresponded to Kohlberg's six stages of moral reasoning. In addition, organizational climate was assessed using seven scales that focused on respondents' immediate work environment. Respondents answered questions concerning the organizational climate as emphasizing rules, care, independence, or instrumental values. They also assessed their supervisor's expectations of ethical behaviour, their supervisor's behaviour, and their co-workers' behaviour. In order to measure individual differences in morality, these same questions were repeated for the participants' perceptions of the ethical climate of the organization as they thought it should be. In addition, respondents were asked about the degree to which they felt they had personal control in the organization. In contrast to the climate scales, participants were also asked about their personal values in relation to what they thought the values of the organization should be. Finally, individual ethical ideologies were measured with five scales concerning rules, care, consequences, virtue, or self-interest. The results on the scales measuring the actual perceived ethical climate were compared with those on the respondents' ratings of 'the way things should be'.

After the instrument was developed, the next stage explored the psychometric properties of the proposed scale (Kelloway, Barling, Harvey, & Adams-Roy, 1999). The questionnaire was administered to 111 male and female CF members currently serving within the National Capitol Region whose average length of service was 20 years.

Results indicated that all but three of the scales reached the alpha criterion of .70, but the substandard scales were retained as they were only slightly below this criterion at .69, .65, and .67. The number of scale items in the DNDEQ was reduced, and showed acceptable levels of correlations with the full scale. In general, results suggested that the scales comprising the shortened version of the DNDEQ demonstrated acceptable psychometric properties (Kelloway et al., 1999).

Findings also indicated that respondents thought the current ethical climate within the CF was in need of improvement. In all cases, respondents indicated that 'the way things are now' and 'the way things should be' were not closely aligned. In particular, respondents indicated that they thought the CF should be considerably more fair than it was (difference of 1.5 on a 5 point scale). Respondents also rated the CF as being significantly less 'caring' than it should be (difference of .76 on a 5-point scale). These results suggested the need for further exploration of the CF ethical climate.

In Phase II of this work (Catano, Kelloway, & Adams-Roy, 2000), 2863 DND/CF employees completed the DNDEQ. About 58% were military and about 43% were civilian. As in Phase I, the questionnaire measured respondents' views on actual versus desired levels of rules, care, independence, self-interest, job completion, supervisor expectations, supervisor behaviours, co-worker behaviours, organizational rules, organizational fairness, and personal control. The questionnaire also measured how five ideological bases for ethical decision-making influenced respondents' behaviour. These five bases, which are incorporated into the DEP are rules, care, consequences, virtue, and self-interest. Finally, four scenarios pertaining to ethical dilemmas assessed the relative influence of Kohlbergian moral development and situational intensity on the respondents' ethical decision making.

Results indicated that military and civilian personnel perceptions of the actual ethical climate were rated lower than their own individual valuation of those same categories. In terms of the rules, care, and independence dimensions, both military and civilian respondents indicated that these should be observed to a greater degree than was currently the case within DND. In contrast, they felt that work units value self-interest more than should be the case. With regard to job completion, there was no discrepancy between actual and desired values.

Both military and civilian personnel believed that these values related to supervisor and co-worker expectations and behaviours were actually demonstrated far less than should be the case. Finally, respondents in both groups believed that the organization should follow its own rules and regulations more often, demonstrate more fairness in its procedures and policies, and allow employees greater personal control over their units.

In terms of their ideological bases for ethical decision making, respondents as a whole indicated that virtue had priority, followed by care, rule, consequence, and self-interest based decision-making. The authors note that while there were differences between the two groups with respect to each decision-making basis, these were not sufficient to warrant altering the rank order.

Finally, in terms of their moral development and the effect of situational intensity on responses to the scenarios, military personnel were more influenced by 'doing the right thing' or 'following the rules'. Conversely, civilian members were more concerned with 'doing no harm', which was the second highest influence for the military personnel as well. The factor having the least effect was consideration of the impact of a decision upon one personally.

In the last section of the questionnaire, respondents were also asked to identify the one most important ethical issue in the workplace today in their opinions. Several themes emerged from the content analysis of their responses. Within the military respondents, these were, from highest to lowest frequency of responses: lack of honesty, courage, and integrity; lack of leadership/self-discipline in senior ranks; human rights concerns are inhibiting/need more discipline; lack of loyalty, trust, honour, pride, and personal commitment; double standards/favouritism/old boys' network; not enough respect/responsibility given to personnel regardless of rank; questionnaire was difficult; CF is ill-equipped, ill-trained, with low morale and low pay due to downsizing; rules require flexibility and interpretation; and quality of life concerns. The civilians indicated lack of honesty, integrity, accountability, and responsibility; poor leadership skills/abuse of authority; too little respect for employees; double standards; and lack of loyalty, trust, commitment, and teamwork. In both groups, however, it is important to note that several respondents also indicated that they perceived no ethical problems in the DND/CF.

Based on this study, Catano et al. (2000) concluded that the DEP has made a good start at instilling ethical values in DND/CF personnel. They suggest that the best evidence for this statement is the fact that personnel clearly have high expectations about the ethical values espoused and exhibited by the DND/CF. Based on this work, Catano et al. (2000) recommended that the DND/CF periodically evaluate the actual and expected levels of ethical behaviour in comparison to this baseline data.

In addition to the Baseline assessment of the ethical environment within the CF, several other surveys have also worked to understand the state of personnel within the CF. Recently, the Directorate of Strategic Human Resource Coordination commissioned Environics to look at the characteristics of recent recruits (Wenek, 2002). They scored high on attraction to violence, risk-taking, and enthusiasm for technology, but low on introspection, primacy of family, and everyday ethics (Wenek, 2002). Thus, it is clear that this orientation is markedly different from the values espoused in the ideal military ethos. This suggests that the desired professional ethics may not be easily transferred to new recruits. This presents a challenge for education in moral and ethical decision making in the CF, executive and unit-level leaders have major roles to play in this process (Wenek, 2002). This effort broadens the concept of professional obligation to include conduct that is consistent with military professional ethics.

5.5 Summary

As a whole, CF appears to promote moral and ethical decision making on several fronts. First, the Defence Ethics Program, now more than 5 years old, has created a coherent body of work conceptualising ethics for DND, has created measures for assessing the current ethical milieu, and has created courses as well as standards for ethical training of both commissioned and non-commissioned members. Several ethics training programs have been created for use in CF training systems. As such, at a formal level, the DEP has worked to both articulate and promulgate an ethical vision throughout the CF. At a more indirect level, emphasis on developing a new ethic of professionalism within CF leadership, and translating this into all levels is another way in which the CF continues to actively work to ensure that moral and ethical decisions are made in accordance with the standards set by the DEP. As a whole, then, Canadian Forces appears to have given more attention to the issue of moral and ethical decision making than ever before.

6 Advancing Moral and Ethical Decision Making in the CF

Recent advances in conventional decision making research have challenged the common depiction of the moral and ethical decision making process as a purely rational linear one. As well, other advances in the psychological research on moral and ethical decision making and other closely related topics have continued to accrue.

Our goal in this chapter is to reflect how the CF goal of improving moral and ethical decision can be furthered in the longer term. This chapter explores conventional decision making as a psychological process, and argue that a number of other variables not prominent in the literature may also influence moral and ethical decision making. This chapter concludes with an exploration of the philosophical underpinnings of ethical decision making.

6.1 Advancing Psychological Aspects of the DEP

This section argues that ethical decision making is a unique form of decision making, and that fully understanding ethical decision making will require exploration and elaboration of both rational and intuitive decision making processes. In addition, emotions may also play an important role in ethical decisions, as does one's own identity or sense of self. Moreover, issues of cultural context as well as several operational realities also seem likely to be critical components in the process of moral and ethical decision making. As such, in order to understand the issues likely to be faced by CF personnel in the future, it will be necessary to have a complex account of the ethical decision making process. Each of these issues is described in more detail below.

6.1.1 Moral and Ethical Decision Making as a Unique Process

One might argue that simply understanding rational and analytic approaches to decision making generally may provide an adequate basis for understanding moral and ethical decision making. Certainly, there are some ways in which moral and ethical decision making can be similar to generic rationalistic decision making. When making a moral and ethical decision, one might sometimes be able to look at the different alternatives available, to weight these alternatives, and to come up with an ethical decision. In some cases, a person making an ethical decision can identify a particular moral issue or problem, judge what the right action is by applying principles, values or rules, make a decision on the action, and act. Moreover, both decision making and ethical decision making specifically can also have an intuitive component.

Despite these similarities, however, moral and ethical decision making also diverges from conventional decision making in several ways. Moral and ethical decisions have distinct content, because they have human elements at their core, such as the welfare or treatment of others. It is also important to note that even a conventional decision can have both ethical and ethically neutral components, and the two are not mutually exclusive. For example, we can think of a situation, such as buying a house, which at one level simply involves a prudent, economic decision. However, if the reason for buying a house is not about economics, but rather to increase the quality of life and provide security for one's daughter, then the decision about whether or not to buy the house may take on a strong ethical component. Nonetheless, the human aspect underlying a decision can turn it from a conventional decision to an ethical one.

Moreover, a complex set of factors underlies moral and ethical decision making. Ethical decisions uniquely implicate one's value systems and beliefs about both oneself and about the world. As moral and ethical decision making is done in relation to and in respect of other human beings, a moral agent implicates himself or herself far more than is typically the case with conventional decisions.

Ethical decisions are also uniquely influenced by the broader social context in which they occur.[5] As they implicate the human domain, societal values and standards are very much in play when making an ethical decision. A moral and ethical decision and subsequent action is not made in isolation and its outcomes may be interpreted and judged through the society to which one belongs. Moral justification of right action arises from our personal conscience and rationalizations as well as normative institutions around us, such as the legal system, religious canons, societal norms, etc. Therefore, how a moral agent proceeds when justifying *why* he or she chose, or ought to choose, seems unique to ethical decision making because it plays out across others and through society. At an individual level, a broader set of factors is likely to be in play than may be the case with most conventional decisions.

Though the processes of decision making can be similar for moral and ethical decision making, this is not always the case. Even when they are similar, there are still key differences in the content and the context. The study of moral and ethical decision making as a separate entity is important because it includes its own very unique content specific factors that influence the decision making process. For example, as we saw, the characteristics of the moral issue, moral intensity, as well as the ethical climate within an organization will have a large impact on ethical decisions and actions.

Therefore, we suggest that moral and ethical decision making is distinct from conventional decision making in both content and context. This suggests that a more complex account of the decision making process itself will be important to pursue.

6.1.2 Challenges to Purely Rational Models of Decision Making

The rational approach to conventional decision making argues that decisions *ought* to be made by a process that is logical, scientific, and sequential. However, the notion that decision making is purely rational has been challenged on a number of fronts. For example, a recent review by Brownstein (2003) suggests that conventional decisions are often subject to biased processing that occurs even before decisions are actually made. In fact, biased predecision processing can influence decision making in several ways, including the search for information and the weight or favour given to available choice alternatives. At the first stage of the decision making process, if people making decisions find themselves confronted with serious risks inherent in their current course of action, they move to the second stage, where they search for other alternatives that may carry less risk. At this point, if alternatives are also perceived as risky, then people experience conflict, vacillating between courses of action, while experiencing physiological arousal. They may even act defensively, trying to avoid the decision or, in some cases, transferring responsibility to someone else if possible. If these defences are impossible, however, that decision makers sometimes begin to favour the least objectionable alternative either by bolstering its favourability or minimizing the favourability of the undesired alternatives. It is argued that decision makers bolster the preferred alternative by exaggerating the favourable consequences, under-representing the unfavourable consequences, and denying the unpleasantness of the disadvantages (Janis and Mann, 1977; cited in Brownstein, 2003.) One of the implications therein, as Brownstein (2003) points out, is that biased pre-decisions are made outside the boundaries of rational decision making models.

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[5] Of course, it is clear that more recent approaches to decision making have paid increasing attention to the context in which decisions are made. Despite this, we argue that context plays an even greater role in moral and ethical decisions.

In addition to qualities of the situation, the social context in which a decision needs to be made will also influence the level of biased predecisional processing. More specifically, individuals tend to show greater biased predecision processing in private than in public, and groups tend to show this effect more than individuals (Brownstein, 2003). It is also important to note that in situations involving tasks of importance, difficulty, and short temporal proximity to the decision, biased predecision processing is more likely to occur (Brownstein, 2003). Of course, biased predecision processing has both advantages (e.g. time sensitivity), and disadvantages (e.g. the omission of thorough comprehensive consideration of alternatives). By using biased processes, one may undergo an inadequately critical process of evaluating and selecting alternatives, and the outcome may be of lower quality than a more egalitarian decision making process. As a whole, however, this research suggests that depictions of decision making as being purely rational may be problematic. Taken together, these features suggest that moral and ethical decision making within military contexts is particularly likely to be subject to biased processes.

In keeping with this trend away from the purely rational forms of decision making, a considerable body of work has explored more naturalistic and intuitive forms of decision making. This work typically emphasizes the notion that decisions (particularly those under crisis) are typically not made through the careful sifting and rational weighting of alternatives, but that factors such as accumulated expertise help to guide intuitive decisions. Experts seem able to find “short-cuts” to having to go through time consuming deliberations. In situations of limited time, high risk and a great deal of uncertainty, searching for the optimum solution to a difficult decision (as prescribed by normative models of decision making) might actually hinder the process as opposed to improving it.

Several different lines of research have generated an interest in more intuitive models of conventional decision making as an alternative to the strict rational models. Known generally as Naturalistic Decision Making (NDM), this approach has been defined as the study of how people use their *experience* to make decisions in field settings (Zsambok & Klein, 1997; cited in Pliske & Klein, 2003), often under time pressure, risk, and uncertainty. NDM researchers hold that “many important decisions are made by people with domain experience and, therefore, that it is important to learn how people use their experience to make these decisions” (Pliske & Klein 2003, p. 561). NDM diverges from more traditional approaches of decision making because it strives to consider decisions in context rich settings, people with domain experience, descriptions of decision making strategies, and pre-choice processes such as the development of situation awareness (Zsambok, 1997; cited in Pliske & Klein, 2003). Research in naturalistic decision making has demonstrated that participants asked to review only the information that they deemed necessary to make a decision performed better than participants who were asked to systematically scan all the relevant items of evidence and review this before making a choice (Driskell, Salas and Hall, 1994; cited in Pliske and Klein, 2003). This suggests that a strict rational procedure for decision making does not guarantee optimum decisions.

There has also been increasing attention paid to the role of intuitive decision making in military contexts (Bryant, Webb, and McCann, 2003). Schultz (1997), for example, asserts that U.S. military doctrine supports a normative and rational approach to conventional decision making. Not surprisingly, Canadian military doctrine also upholds the rational model. Indeed, the rational approach to decision making may be appealing to the military because it implies rationality and optimization, concepts seen as integral to proper functioning of the military (Bryant, Webb, and McCann, 2003). Demanding a computational or analytic resolution to a situation on the battlefield, and even in the real world for that matter (Bryant et al., 2003) might be unrealistic and overly burdensome for the decision maker. It is likely that soldiers will be in situations that are meaningful and familiar to them, encouraging the use of their experience and expert knowledge. In this sense, naturalistic or intuitive models of conventional decision making have a great deal of value in explaining conventional decision making within military contexts.

Research in military settings has lent support for the RPD model finding that decision makers more often than not engage in non-comparative deliberations before making a decision. A study conducted by Kaempf, Klein, Thordsen and Wolf (1996; cited in Pliske & Klein, 2003) showed that almost 80% of participants making decisions in operational Navy anti-air warfare incidents involving AEGIS cruisers adopted a course of action without any deliberate evaluation, even when several courses of action existed. Driskell, Salas, and Hall (1994; cited in Pliske & Klein, 2003, p. 570) discovered that if Navy officers were trained to follow strict procedures, such as "systematically scanning all relevant items of evidence and reviewing the information prior to making a decision", they performed worse than their counterparts who used a procedure of "scanning only the information items needed to make a decision, in any sequence, and reviewing items only if necessary". Wohl (1981; cited in Pliske & Klein, 2003) studied Navy command and control and found that even though personnel were required to work under time pressure, they were still able to make effective decisions. Even when people did not have the luxury of time to deliberate over all possible options, they were able to use their experience to act quickly and appropriately. As such, there is good support that decisions are often made using more intuitive than rational and analytic processes.

In order to advance the CF approach to ethical decision making, the depiction of decision making as a primarily rational and cognitive process should be re-examined. It will be important to consider more naturalistic and intuitive approaches to making decisions. Clearly, ethical decisions are usually made in less than ideal environments, and often under a great deal of time pressure. In these kinds of situations, intuitive processes as well as biased processes seem very likely to influence decision making processes. These issues will need to be given more consideration as the CF approach to ethical decision making evolves.

6.1.3 The Role of Intuition in Moral and Ethical Decision Making

There is also specific evidence in the literature of the role of intuition in decision making generally and specifically in ethical decision making. Existing approaches to understanding ethical decision making, however, sometimes prescribe how one *ought* to choose when faced with a moral issue as opposed to how one *actually does* choose. Simply stated, these approaches are prescriptive rather than descriptive. An individual is to identify the moral issue, locate *all* of the important and relevant factors in the situation, formulate some judgement to resolve the competing factors, and choose an appropriate course of action. In fact, if one moves through the process and "reality" prevents us from conducting the course of action we have chosen, such an approach might simply suggest that one "goes back to step one", offering little assistance.

Current research suggests a growing interest in describing how people actually make moral and ethical judgements and decisions. In fact, from our review of the relevant literature, intuition appears to play a primary role in moral and ethical decisions. Descriptions of moral and ethical decision making in a military context underscore these findings, and suggest that the role of intuition demands more attention. In discussing his Rwanda experiences, Gen Dallaire (2000) recalls the moment of having to make a difficult ethical decision, stating, "My *gut*, my emotions – my *sense* of the right thing to do – was telling me to do everything I could to stop the coming onslaught" (emphasis added). This quote clearly suggests that ethical decision making does not always occur because of the rational weighting of alternatives, but as the product of one's intuitive sense of right and wrong.

In difficult and time pressured environments, individuals make decisions from their gut instinct, or intuition, and only later reason why they made that choice over another. This account of the ethical decision making process is consistent with research suggesting that people make very quick moral judgements and then go on to justify these through a shared reasoning process. As Jonathan Haidt has argued, moral reasoning is rarely the direct cause of moral judgement. As shown in the model below, Haidt (2001) explains that individuals *actually* make moral judgements through fast 'moral intuitions'. Though not impossible, he maintains that people *rarely* override their initial intuitive judgement by reasoning privately to themselves or through the lofty force of logic. Typically, people begin to question these intuitions only after they have shared their position with other people. In essence, we dupe ourselves into thinking that we have achieved objective reasoning in our moral judgements when, in fact, the reasonable justifications for our judgements are constructed *post hoc* (Haidt, 2001). In fact, Haidt argues that when we think of moral issues, we are not like a judge who considers the evidence in the search for Truth, but more like a lawyer trying to persuade others of a pre-established position.

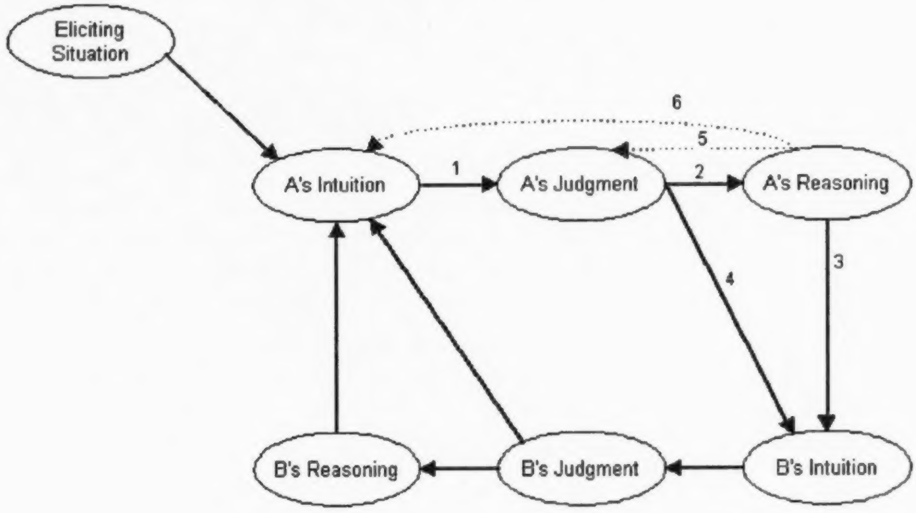

Figure 5: Social Intuitionist Model (Haidt, 2001)[6].

Haidt's (2001) Social Intuitionist Model of Moral Judgement is predicated on a soft link between moral reasoning and moral judgement. The former refers to "the conscious mental activity that consists of transforming given information about people in order to reach a moral judgement", whereas the latter refers to "evaluations (good versus bad) of actions or character of a person that are made with respect to a set of virtues held to be obligatory by a culture or subculture" (Haidt, 2001, p. 817–818). Like reasoning, moral intuition is a kind of cognition and should not be understood as synonymous with emotions like empathy or sympathy. However, moral intuition differs from reasoning in a number of ways. Haidt (2001) describes the process of intuition as fast, effortless, unintentional, and automatic. The process of reasoning, on the other hand, is a consciously accessible, slow, effortful, deliberate and controllable process. Conversely, intuition is not accessible. We only see the results, not the process. Moral intuition, thus, can be understood as "the automatic output of an underlying, largely unconscious set of interlinked moral concepts" (Haidt, 2001).

The social intuitionist model seeks to downplay the "private reasoning" of individuals in *actual* moral judgements and emphasizes the impact of social and cultural influences, such as group norms and beliefs (Haidt, 2001). According to Haidt (2001), a person's context and culture shapes moral intuitions by making culturally supported ethics sharper and more easily accessible, and through gradual shaping in which acceptable cultural processes and behaviours are progressively modelled and rewarded. This is argued to occur at both a societal level and in interactions with peers. In short, Haidt argues that decision making in moral and ethical situations is not a purely rational or orderly process, but meanders through a complex of influences, such as moral intuitions, shared reason, and culture.

Moreover, the social intuitionist model argues that individuals doing moral reasoning are driven by at least two important goals, which bias and direct the moral reasoning process. First, people are influenced by the need to represent views that are consistent with those of significant others. These *relatedness motives* can force the moral decisions that we make to be more consistent with the views of significant others than would otherwise be the case. Secondly, in doing moral reasoning, we are also driven by *coherence motives.* These coherence motives push us to reduce instances where we experience dissonance when the views that we have constructed of ourselves (or of our world) are threatened. Maintaining coherence, Haidt (2003) explains, often means using reason to defend *prior* moral commitments. For people with strong coherence motives, changing one's beliefs about oneself to be more consistent with one's actions, or changing one's construction of the world, may be extremely difficult.

Given that moral reasoning is motivated in these ways, it puts into question the legitimacy of objective practical reasoning. As Haidt (2003) explains, moral reasoning can be studied objectively, but under very restricted, unnatural circumstances. Rather, in "real judgement situations", moral reasoning is biased and hired out like a lawyer in a rhetorical battle with others, consistent with the social intuitionist model. Further, as moral reasoning is argued to be heavily influenced by relatedness and coherence motives, it may not be an accurate indicator of why people make the moral and ethical decisions that they do. In fact, in real life situations, these intuitions might not necessarily be something that people would be able to articulate. Haidt (2003) concludes that we will learn about intelligence, rationality, and virtue through perception and intuition as opposed to highly calculated, non-biased operations, typical of rational models of decision making. As such, research in moral and ethical decision making would seem to require more implicit than explicit (e.g. tell me why you made the decision that you did) approaches.

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[6] For a complete description of the 6 links between nodes, please see The Emotional Dog and Its Rational Tail: A Social Intuitionist Approach to Moral Judgement, Jonathan Haidt, 2001.

It is important to note, however, that Haidt's social intuitionist model of judgement has been disputed on several fronts. In response to Haidt (2001), for example, Pizarro and Bloom (2003) suggest that fast, automatic intuitions are shaped, informed, and partially determined by *prior* reasoning, and people actively engage in reasoning when confronted with moral dilemmas. First, they argue that intuitive systems are shaped by shifts in cognitive appraisals, which can be understood as how one construes the situation. Pizarro and Bloom (2003) argue that people's "cognitive flexibility" is demonstrated in their ability to empathize with others. They explain that anger can quickly become sympathy when a professor learns that a student's failure to write an exam was based on a death in the family. However, this change is a result of gathering further information, elicited more often than not by social interaction. Haidt explains "the model is quite explicit that moral judgements change when a situation is suddenly viewed in a new light and new intuitions are triggered" (Haidt, 2003, p. 197). Changing the facts of the situation in order to override the moral intuitive responsiveness and moral judgement is consistent with the social intuitionist model.

Pizarro and Bloom (2003) also suggest that intuitions can be altered by a conscious decision to expose oneself to certain environments. By choosing to expose oneself to environments that "educate" the moral intuitions, they argue, individuals engage in conscious control over automatic reactions and judgements. Selective attention also can serve as a means of eliciting more positive moral sentiments and minimizing more negative ones. Again, this is not in opposition to the social intuitionist model. Haidt (2001) holds that socializing with people who have different values than our own can redirect our values through persuasion and appeals to reason. The social intuitionist model allows for malleability and responsiveness to new information and circumstances (Haidt, 2003).

Contrary to Haidt's (2001) assertion that trained philosophers are the only likely candidates to engage in moral reasoning prior to moral judgement, Pizarro and Bloom (2003) appeal to research and common knowledge that suggests many people think about and deliberate over moral issues. They state that "there are innumerable instances in which people - not necessarily philosophers - take moral stands that put themselves very much at odds with members of their community" (Pizarro and Bloom, 2003 p. 195). Haidt (2003) has challenged this research. He explains that individuals faced with agonizing moral dilemmas are more likely engaged in an emotional deliberation process moving back and forth through the claims and perspectives of others. Individuals circle through the social intuitionist model because others trigger different and conflicting intuitions. This emotional deliberation, Haidt (2003) holds, can also be done in the privacy of one's own mind, as the individual adopts the position of others.

Furthermore, what Haidt proposes is that more often than not, people reason post hoc. He does not outright deny private reflective reasoning or judgements determined by rules and principles. What is compelling about Haidt's social intuitionist model is that our reasoning about moral issues moves through a collaborative justification process. In a sense, individuals combine their reasoning capacities either to reinforce or diminish their initial moral intuitions. Reasoning about complex moral subjects, such as reparations for the descendants of African American slaves or inheritance taxation, will more often than not be articulated and deliberated *through* others than it will within our own private reasoning. In this sense, our reasoning can be understood as shared with others.

To argue that moral judgements are social, that the reasons that support them arise through the deliberation with others, is to Haidt's credit. To include the influence of intuition and emotion on our immediate questions of morality is also laudable. However, to postulate that *all* moral judgements are based on one's intuition alone must certainly be erroneous. If we insist that intuition and reasoning are both cognitive processes, then it might be prudent to argue that they cooperate with one another, especially in the decision making process. One process might come to the fore more readily depending on the moral content and external influences of the given case. While the state of this argument does not allow us to conclude which approach is the best, we would suggest that Haidt's approach requires further empirical validation. Indeed, it is easy to imagine several instances in which people seem to deliberate and in which people seem to make instantaneous decisions. For Haidt to suggest that philosophers are the only people who deliberate over moral judgements is overly exclusive. That being said, we acknowledge that it is entirely possible that they might engage in the most effective deliberating because they are trained to do so. However, these are empirical questions that have yet to be researched. The notion that moral reasoning occurs as a post-hoc event after moral judgement is a provocative one, and one that begs further exploration.

We believe that Haidt's social intuitionist model has a number of implications for how moral and ethical decision making should be both conceptualized and researched. This work suggests that the role of intuition has been seriously underemphasized in some current approaches to ethical decision making. According to the social intuitionist model, a person making a moral decision is very different than that painted by rationalistic models. Such a person is not a disembodied entity working strictly with "the facts", but a motivated and even self-interested person actively working to maintain one's own sense of self and world view, and bring their moral judgements in line with significant others, such as other section members. This person has natural moral intuitions that are enacted when moral situations are encountered, and moral reasoning has a role primarily post facto, in efforts to describe why one acted as they did. The assumption that everyone reasonably considers a moral issue and then makes a judgement fails to address the likeliness of individuals' making moral decisions automatically from an unconscious set of interlinked moral concepts and modifying them only through discussions with others. This view of the ethical decision maker offered by the social intuitionist model is both complex and rich.

Haidt's model also places much more importance on the contextual factors likely to influence moral and ethical decision making. In order to access a person's moral intuitions, it is important to understand not only cultural influences, but also developmental history, and the milieu within which this person must function. In the case of understanding moral and ethical decision making within the CF, for example, it would be important to understand the normative influences, both past and current, on the individual. This would include not only the ethical environment at an organizational level, but also at the level of one's team or unit.

Unfortunately, our review of the available literature suggests that more intuitive approaches to moral and ethical decision making have yet to be explored in much detail, other than through the model just described. This extension, however, of moral and ethical decision making is an important area for future research to address. In a very real way, it seems important to consider more naturalistic approaches to this kind of decision making if it better represents the way in which ethical decisions are *actually* made. Time pressure, risk perceptions, etc. may well negate the use of complex rational procedures that lead to an ethical decision. Surely there are also times when commanders, faced with two decisions that will lead to the harm of one group or other may "satisfice" on the first solution that provisionally solves the problem.

This process of naturalistic decision making should perhaps be incorporated into future modelling of moral and ethical decision making. The naturalistic approach to decision making, and the recognition-primed model, argue that decision making often occurs in environments that do not permit a simple rationalistic approach, often due to time and energy constraints. In such contexts, all of the alternatives cannot be evaluated, and decisions sometimes need to be made based on the first alternative that helps to solve the problem. Experience and intuition may be a greater asset than extensive rational analysis in these kinds of ethical decisions.

6.1.4 The Role of Emotions

Rationalistic theories which argue that people make decisions based purely on the rational probabilities of certain events (qualities of the event) are increasingly being challenged by researchers and theorists who argue that the role of affect and emotion has been downplayed in more cognitive descriptions of judgement and decision making processes. In fact, a wide range of psychological research argues that emotions can have considerable impact on regular decision making. A good deal of research suggests that emotions affect decision making directly because they signal important information (Schwartz, 1991). Other related work (Slovic et al.,1991) highlights the importance of affect for risk perceptions and risk-related behaviour, and suggests that people's perceptions of the risk of hazardous technologies or activities is influenced by risk dimensions that have little to do with consequentialist aspects (i.e., possible outcomes and their probabilities). As a whole, this work suggests that unquestioned adherence to rational decision making models may be problematic.

Historically, philosophers have hotly debated the role of emotions in moral and ethical theory for centuries. The core debate typically centres on the relationship between reason and emotion, and the need for reason to keep the emotions under control. According to most philosophical positions, emotions are detrimental to moral reasoning and judgement. For example, Kant believed emotional counsel tainted the process of moral thinking primarily because emotions are subjective and thus antagonistic to *objective* practical reasoning. Kant went as far as asserting that emotions are non-moral at best and immoral at worst. Consequently, any sound moral judgement requires the subduing of emotions by reason. With regard to ethics and morality, then, Western philosophers have demanded that sound moral judgements be 'disinterested', that is to say, have no emotional input.

Not surprisingly then the psychological study of moral and ethical decision making was, until relatively recently, centred primarily in the cognitive domain (Blasi, 1999). Similar to philosophical approaches, the predominant belief was that the cognitive capacities of the brain control and/or eliminate the influences of emotion, because this is in our best interest. As a case in point, greatly influenced by philosophers like Kant, Kohlberg's six stages of moral development, and his methods for studying morality, represent a psychological approach to moral decision making that rewards the priority of one's cognitive capacities over emotional input.

More recent perspectives, however, have recognized the positive contributions that emotions can make to decision making in general, and to moral and ethical deliberations specifically. David Pizarro (2000), for example, argues that emotions should not be dismissed as irrelevant or harmful to moral evaluations, but recognized for their positive contribution to moral deliberations. He (2000) uses psychological research to argue that emotions can contribute valuable information to a moral question. He asserts that empathy[7], the prototypical moral emotion according to its weight in the literature, is an informative moral signal because it sensitizes us to the distress of others and indicates that moral reasoning is salient.

Pizarro (2000) also claims that the presence of moral emotions is affected by an individual's moral beliefs. In this sense, emotional reactions can reliably signal moral priorities in an individual, a position that significantly weakens the classical notion that emotional reactions are simply reflexive. Specific signals might include cued similarities between ourselves and others (enabling individuals to take the perspective of the other), and the innocence of a target in bringing about their predicament. In this case, emotions can contribute to the likelihood of our behaving altruistically toward an individual in need.

Further, Pizarro (2000) argues that emotions can aid moral deliberations and judgements about the rightness and wrongness of an action. Similar to moral intuitions proposed by Jonathan Haidt (and perhaps closely associated), Pizarro believes that "emotions reflect our *pre-existing* concerns, such as moral beliefs and principles, making them less capricious than may appear" (2000, p. 358, emphasis added). He believes that emotions can function as a centralizing agent, focusing our attention and our cognitive resources on the problem at hand. In this sense, then, emotions are useful in that they may stimulate or even organize our cognitions about a moral question. This point of view is not unlike Mellers' (2000) assertion that anticipated feelings of guilt, dread, and excitement are powerful contributors to moral decisions because they allow people to simulate the personal pleasure or pain if they made one choice over another.

Finally, Pizarro (2000) argues that empathy also serves a catalytic function in moral and ethical decision making and can move us swiftly into action. A lack of empathy would increase the difficulty with which one recognizes a moral situation (Pizarro, 2000). This, in turn, reduces the probability of the readjustment of moral principles and beliefs that stems from experience in making moral decisions. That is, there could be no moral learning without the benefit of experience afforded by the presence of emotions. As such, emotions have the potential to play an important role in many forms of decision making, including moral and ethical decisions.

On a physiological level, Damasio's (1994) somatic marker hypothesis argues that normal decision making is guided by somatic reactions to deliberations about alternatives that provide information about their relative desirability. In other words, these "markers" identify possible options as either desirable or undesirable based on information marked through past emotional experiences. According to Damasio, somatic markers do not make the decision, but they do help decision makers focus on the *right* decision. In fact, related research has shown that certain neurological abnormalities that block somatic markers in participants lead to significant impairments in risky decision making, despite participants' high functioning aptitude in the cognitive systems of the brain (Bechara, Damasio, Tanel & Damasio, 1997). Others (Greene & Haidt, 2002) have also shown how damage to the medial prefrontal cortex renders individuals' somatic markers ineffective, and consequently, in spite of retaining abstract social knowledge and cognitive functioning, they make detrimental real-life judgements. This suggests that *effective* decision making is mediated more through emotion than reason (Greene & Haidt, 2002). Research also points out that other structures of the prefrontal cortex are significant for the acquisition of social knowledge and dispositions for normal pro-social behaviour (Greene & Haidt, 2002). Greene, Sommerville, Nystrom, Darley and Cohen (2001) have also demonstrated that individuals have a greater emotional response to dilemmas that are deemed 'personal'. Using recent neurological research that identified neural correlates for emotion as their premise, Greene et al. (2001) hypothesized that heightened activity in those areas would accompany deliberations of personal moral dilemmas when compared to non-personal moral dilemmas or non-moral dilemmas. They asked participants to judge personal and non-personal moral and non-moral action as either "appropriate" or "inappropriate" while undergoing functional magnetic resonance imaging. They found that participants' emotional centres were significantly more active in the personal condition compared to the non-personal and non-moral conditions. Participant neurological responses to moral dilemmas that were perceived as less personally salient or relative closely resembled those of non-moral dilemmas, suggesting the heightened emotional struggle that one is engaged in at the moment of a personal, conflictual deliberation process. Although the decision making literature increasingly incorporates emotion as a factor in decision making processes, however, emotion is typically cast as having a more indirect than direct role.

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[7] Empathy can have different meanings. Cognitive empathy refers to the ability to move outside of one's own perspective, into that of another person; affective empathy refers to feeling what another person feels, such as pleasure or pain (Pizarro, 2000). It is clear that Pizarro (2000) considers both of these types of empathy in his arguments above. However, we suggest that his argument assumes that we are naturally inclined toward empathy. This assumption is empirically testable and begets the question as to which type of empathy the CF focuses on, if any.

Other work by Loewenstein, Weber, Hsee and Welch (2001) give emotions a direct role in decision making. Loewenstein et al. (2001) argue that emotions at the moment of decision making actually determine action and consequent behaviour. Put simply, emotions are more than simply an epiphenomenon that influences the cognitive processes underlying decision making. Rather, emotions are argued to have a discrete and, more importantly, independent influence on decision making. Moreover, there are also many cases in which the emotional reactions to stimuli diverge from the cognitive assessments of these situations. In such cases, Loewenstein et al. (2001) hold it is the emotional reactions rather than cognitive assessments that drive behaviour.

This work makes a distinction between anticipatory emotions and anticipated emotions. Anticipated emotions have typically been implicated in previous emotion research and are oriented toward the future and based on the predicted consequences of decisions. Even these emotions are typically used as inputs and the likelihood of their occurring is weighted in a slightly altered but somewhat rational process. Anticipatory emotions, on the other hand, are immediate, bodily reactions to uncertainty, which rather than hindering the decision making process, are seen as providing another source of information. One example of this is Schwarz and Clore's affect-as-information hypothesis (Schwarz & Clore, 1993). This model is of particular interest because it posits that emotions can directly impact on decision making processes, rather than simply mediating through other concepts or memories. The idea that emotions impact on decision making even in the absence of cognitive intervention is a unique contribution of this work.

It follows, then, that if cognitions and emotions have discrete impacts on decision making processes, there may well be cases in which cognition and emotion have different implications, or are not entirely compatible. This divergence of emotional responses from cognitive evaluations of risk is largely the focus of the risk-as-feelings hypothesis, and it attempts to address two perspectives: (1) the fact that emotions impact on decision making, and (2) the fact that anticipatory emotions often diverge from cognitive evaluations.

The following illustration is Loewenstein et al's. Risk-as-feelings Hypothesis (2001).

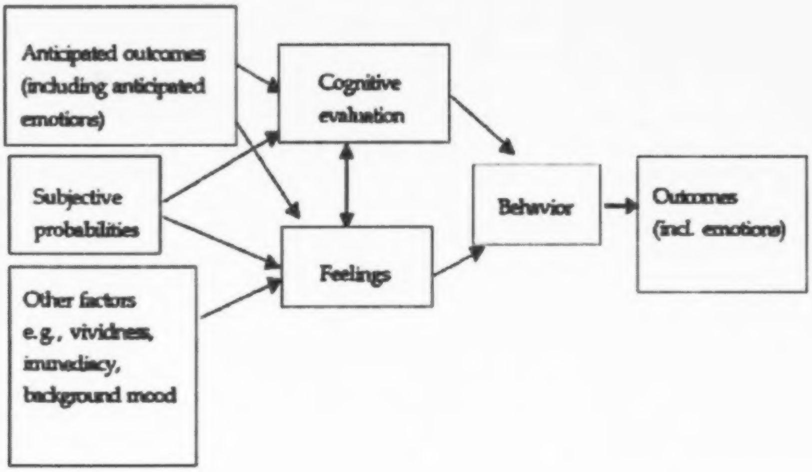
Anticipated outcomes (including anticipated emotions)
Subjective probabilities
Other factors e.g., vividness, immediacy, background mood
Cognitive evaluation
Feelings
Behavior
Outcomes (incl. emotions)

Figure 6: Risk-as-feelings perspective (Lowenstein, Weber, Hsee, and Welch, 2001).

As this theoretical model suggests, cognitive evaluations are affected by anticipated outcomes (including both cognitions and emotions), and subjective probabilities. These are both antecedent to feelings, but feelings are also impacted by factors that other cognitive evaluations are not. Moreover, the risk-as-feelings work also argues that feelings can give rise to behaviours that are not necessarily congruent with what the individual sees is the best course of action. Most contentious, certainly, is the argument that emotions can impact directly without cognitive mediation, and the assertion that the relationship between cognitions and behaviour is influenced by feelings.

In fact, as illustrated in the model above, the risk-as-feelings hypothesis argues that, whereas the cognitive judgements about risk focus on more objective features, feelings are affected by factors that cognitions are not, including the vividness of the image, immediacy, and underlying mood. Moreover, responses to risky situations result in part from direct (not cortically mediated) emotional influences, including feelings such as worry, fear, dread, or anxiety. At the same time, feeling states are postulated to respond to factors, such as immediacy of risk, that do not enter into cognitive evaluations of the risk and also respond to probabilities and outcome values in a way that differs from the manner in which they are postulated to enter into cognitive models. Thus, the risk-as-feelings hypothesis can explain how emotions contribute to decisions that depart from the obvious best course of action (Loewenstein et al., 2001).

Unfortunately, the research currently underlying the risk-as-feelings hypothesis has been conducted within a fairly sterile research environment, and is quite limited. To provide more support for the "self-other discrepancies in risk preferences produced by self-other discrepancies in feelings toward risky options", Lowenstein et al. (2001) asked college students to imagine that they were riding in a taxi cab and discovered that the driver was intoxicated. With no other taxis or means of transportation, the student could either stay in the cab or get out and walk 5 miles to their destination. Participants then were asked how worried they would feel if they "remained in the taxi cab". However, by asking the participants how worried they would feel if they "remained" in the cab, participants were asked about anticipated emotions, given that these represent emotions that are oriented towards the future and based on the predicted consequences of the decision. Instead, participants should have been asked how worried they would feel upon learning that the driver was intoxicated, and how that worry would influence their decision to either remain in the cab or get out and walk. Furthermore, the risk-as-feelings hypothesis seeks to demonstrate that individuals often listen to their emotional reactions to risky situations when these *diverge* from the cognitive assessment of the same situation. However, we might challenge how divergent emotional and cognitive responses would actually be, knowing both statistically and heuristically what we do of drunk drivers and probable accidents. It could be argued that the emotional reactions invoked in this situation and the cognitive evaluations would correspond. The research that Lowenstein et al. (2001) conducted for their article, therefore, does not appear to support the risk-as-feelings hypothesis directly because it demonstrates anticipated emotions as opposed to anticipatory emotions, and does not necessarily show a divergence between emotional reactions and cognitive evaluations. Nevertheless, it is a compelling hypothesis that warrants greater investigation in perhaps more realistic settings, including military settings.

Specific to the field of ethics, several lines of physiological research provide strong evidence for the significance of emotions in moral and ethical decision making. Functional magnetic resonance imaging (fMRI) studies suggest that people considering moral dilemmas that are deemed more "personal" versus "impersonal" or non-moral dilemmas show an increased level of activity in the emotional centres in the brain (Greene et al., 2001). Individuals who are asked to push a person onto railroad tracks to stop a trolley that is about to kill five people (and knowing this person will die), as opposed to flipping a switch that will redirect the trolley onto another set of tracks consequently killing one person instead of five, show more emotional activity when deliberating. This work suggests that emotional engagement largely influences moral judgement, especially when that experience is deemed more personal. Moreover, this heightened sense of arousal for one scenario versus another, despite the fact that the consequence do not logically differ, suggests that the characteristics of the moral issue itself need to be carefully examined. Moll et al. (2002a; cited in Young & Baranski, 2003) also found that different areas of the brain are used for making moral versus non-moral judgements, suggesting that moral judgements and non-moral judgements have significantly different psychological processes. Several different lines of research, then, have shown the importance of emotion in both decision making generally, and in moral and ethical reasoning and judgement specifically.

Moreover, the lack of consideration to the role of emotions in ethical decision making stands in contrast to descriptions of military personnel. For instance, when General Dallaire revisits his decision to stay in Rwanda as witness to the Genocide, he acknowledges the use of both his emotions and "gut" instinct, or intuition, as the underlying means for his choice. He recalls:

> "And what of the thousands of civilians under our protection? Our food, water and medical supplies were barely enough for my force, let alone these displaced persons. The dispassionate professional side of my nature was telling me to cut my losses and get all my troops to safety. My gut, my emotions – my sense of the right thing to do – was telling me to do everything I could to stop the coming onslaught" (Dallaire, p. 252).

Moreover, as Field Marshall Wavell once advised: "Never have counsel of your fears." This suggests that in making decisions, in general, one should be willing to take greater risks, depending on the situation. In other words, it does not serve the individual well to be overly analytical in making decisions, especially when in the field. An individual who counsels their fears will be overly cautious, which is not always the appropriate position to take. So though a choice may not be optimum, it may be more "right", and therefore justified, despite the probable risks. As Gen Dallaire states:

"I couldn't abandon the people who had trusted the international community to help them. I made the decision to stay in the final split second before making the most consequential speech of my life. As a result I had to accept that UNAMIR would be threatened and at risk" (Dallaire, p. 239).

Given the helplessness of Gen Dallaire and UNAMIR's inability to intervene and to change the course of Rwandan history, one could argue that he did not elect the most pragmatic or optimum ethical decision for himself and his troops. Instead, he chose to remain in a place that guaranteed higher risks and heightened levels of stress to himself and members of UNAMIR.

The role of emotion and both its direct and indirect impacts on the ethical decision making in the military context needs further exploration. A comprehensive model of moral and ethical decision making should include consideration of the role of emotion, as both an important moderator, and even as a factor in its own right.

6.1.5 The Role of Cultural Context

As both Canadian society and the CF are both becoming more culturally diverse, the role of culture in moral and ethical decision making will need to be an important issue for future research and training.

Culture consists of the norms and values, routines and scripts, and rules and procedures that shape individuals' thinking, behaviour, and interactions with others, which are observable in a given society (Peterson, Miranda, Smith, & Haskell, 2003). From the perspective of ethical decision making, culture represents the context within which dilemmas and decisions occur. Describing the relation between ethics and culture, Cohen (1996) writes that both ethics and culture are concerned with the values of right and wrong, good and bad. An ethical analysis discerns what is right by applying logic to relate the situation under question to one or more principles. In contrast, a cultural analysis discerns what is right by appealing to the underlying values, as manifested through a culture's heroes and symbols. Moreover, while classical ethicists maintain that what is right and wrong is static, a culture's determination of its values, including right and wrong, is dynamic. Cohen acknowledges that there can be conflicts between these two approaches to morality. In particular, some of the dimensions on which cultures differ are the very dimensions on which ethicists from the Western tradition base their ethical principles. This conflict can be named 'cultural imperialism' on the one hand or 'ethical relativism' on the other. This viewpoint on the relation between culture and ethics is known as 'culture as shared values'. When the perspectives of multiple cultures must be considered within the context of a single dilemma or problem, this may create challenges for moral and ethical decision making.

Rivers, Lytle, and Hudson (2002) articulate Janosik's (1987) notion of 'culture in context', which is an alternative to the concept of culture as shared values. Culture in context suggests that the effect of culture is moderated by structural and contextual factors. Whereas culture as shared values operationalizes culture as one or more value dimensions that act as independent variables on ethical decision making, culture in context sees culture as an entity that has both a direct effect and a moderating effect on situational variables that impact ethical decision making. The culture in context view addresses two important issues in decision making. First, it places at the fore the notion that there are cross-cultural differences in the degree to which decision makers consider situational factors. For example, Westerners tend to be more universalistic in their application of ethics, whereas those from Eastern cultures tend to be more situational. Second, culture in context considers situational factors as the critical element in decision making, not just an error factor to be controlled. Differing countries, for example, may have differing codes of ethics and even different thresholds for recognizing when an issue is an ethical one based on cultural norms. For example, Schlegelmilch and Robertson (1995; cited in Peterson et al., 2003) found that managers from the US were more likely to classify issues of employee alcohol and drug abuse, theft, and discrimination as important ethical issues requiring corporate policy than were managers from the UK, Germany, and Austria. This indicates that different cultures may not only create different solutions for ethical issues, but may even define what an ethical issue is in a somewhat different way.

Gen Dallaire writes of his own cultural insensitivity, noting that being firmly situated within one culture often blinds people from recognizing other cultures and the particular values and nuances that accompany them. Gen Dallaire (2000, p. 34-35) confesses to his biased preconceptions of Rwanda: "[t]o me, much of Africa was the domain of missionaries and NGOs, and it was the victim of ruthless resource extraction". To his surprise, "the quality of the political leadership in Rwanda was very high" (Dallaire, 2000, p. 35). But Gen Dallaire inadvertently betrays his own ethnocentrism when he qualifies this observation stating that "many of the country's leaders had been educated in North American and European colleges" (Dallaire, 2000, p. 35).

Moreover, the kinds and sources of information used in decision making as well as the kind of action taken will largely be dependent on culture. Research demonstrates that the sources one uses, such as formal rules and procedures, unwritten rules, subordinates, staff specialists, and personal experience, to investigate a situation and generate a decision will be linked to characteristics of a nation's culture (Peterson & Smith, 2000; cited in Peterson et al., 2003). For example, in their study of information sources used by managers in six developing countries (Brazil, India, Iran, Nigeria, South Korea, Uganda), Smith, Peterson, and Gilani (1995; cited in Peterson et al., 2003) found national differences in the relationship between managers' evaluations of how well selection situations are handled and the sources managers report being most heavily used. Specifically, use of personal experience and training is positively associated with handling selection well in all the nations examined except Nigeria, whereas reliance on formal rules and procedures is positively associated with effectiveness in all the nations examined except Iran. Individualistic cultures, which stress self-reliance and personal achievement, are often argued to give decision makers considerable autonomy to structure problems for themselves, whereas collectivist cultures, which focus more on developing and sustaining a stable, mutually dependent group, are said to encourage decision makers to refer to the interests of a larger in-group even though they may not be physically present as part of the decision making (Markus & Kitayama, 1991; Peterson et al., 2003).

Such cultural differences have also been seen in military research. For example, Dillon (1992) measured the degree of convergence between Special Forces and non-Special Forces officers from the US to several hypothetical situations including one that pertained in particular to the correct action given the values of a divergent culture. Specifically, the situation involved the correct action to be taken toward a civilian family in a captured town who are suspected to have aided the enemy. Both groups generally agreed that they should turn the family over to the host nation police because the proper authorities should try them. Even more relevant to this discussion of the effects of culture on moral and ethical decision making, however, was the finding that many Special Forces officers indicated that they wanted more information concerning the role of the host nation police and their human rights record in treating civilians. Thus, although one culture may place a very high value on humanitarian concerns, for example, this may be different in an operation conducted within another culture. If these humanitarian concerns are not shared by the host nation, then we must ask: What would they do if the attitudes of the host nation were markedly different from their own? And further, to who is one's obligation most important, one's own culture or that of the host nation?

Different cultures may even take different approaches to the process or nature of decisions. For example, in cultures that emphasize the collective more than the individual, there is an emphasis on synthesizing the constituent parts of any problem or situation into an integrated or harmonious whole (Markus and Kitayama, 1991). Moreover, these cultures also seem to prefer alternatives favouring a less explicitly defined and longer-lasting in-group (Peterson, Rodriguez, & Smith, 2000; cited in Peterson et al., 2003). Within individualistic cultures, on the other hand, a typical Western approach involves deconstructing a problem into its component parts in order to consider all aspects of a problem clearly. Moreover, individualistic cultures are inclined toward alternatives favouring the well-being of the individuals making the decision and that of whomever they are working for. Another cultural difference that can affect decision making is risk perception. In a study of risk perception, for example, Hungarian participants perceived lower levels of risks for most hazards, maintained more of a focus on everyday risks, and were less concerned about events having a low probability and high consequence than were American participants (Englander, Farago, Slovic, & Fischhoff, 1986; cited in Peterson et al., 2003). Douglas and Wildavsky (1982; cited in Peterson et al., 2003) argue that the perception of risk is a collective phenomenon socially constructed in order to maintain a particular way of life. Moreover, Weber and Hsee (1998; cited in Peterson et al., 2003) have pointed to social context as a central factor in explaining why the Chinese tend to be more risk-seeking in situations that involve financial risk and less risk-seeking in situations that involve social risk. Another possible effect of cultural diversity is risky shift, a phenomenon of group behaviour in which decisions made by a group are riskier than those made by the individual members when alone (Levine & Moreland, 1995; cited in O'Shea & Landis, 1999). Watson and Kumar (1992) examined this issue among culturally heterogeneous groups and found that the degree of risk the groups reported being willing to take positively correlated with the degree to which the groups were culturally diverse. As a result, Watson and Kumar (1992) offered this rule: the more diverse the group, the more conservative the decision and the more homogeneous the group, the riskier the decision. This is not to say that this effect is undesirable; however, it is important to recognize that the decisions made by groups of diverse backgrounds will likely be different from those made by groups of people from convergent backgrounds. In fact, Adler (1991; cited in O'Shea & Landis, 1999) suggested that multicultural teams are well suited for broad idea generation or divergent tasks such as the planning phase of some organizational function, and Watson and Kumar (1992) found that multicultural teams performed better on divergent tasks than did unicultural teams.

Today's military operations increasingly involve the use of multinational forces. In today's multinational military operations, then, it is easy to see that a culturally diverse team making an ethical decision may well face several challenges, both in terms of the approach to the decision making process (e.g. thinking holistically or by deconstructing), as well as in deciding where resources should be allocated. Because military decision making contexts are becoming increasingly multicultural, it is important to consider the impact of cultural diversity on ethical decision making. It is generally accepted in post-modern thinking that diversity is ideal and its benefits in terms of upholding inclusivity have been well-articulated (see O'Shea & Landis, 1999). Multinational teams, then, both present challenges and opportunities when thinking about ethical decision making. CF personnel may be required to surrender their values in order to find the middle ground regarding moral and ethical issues within the coalition context.

At a broader level, it is also critical to note that military operations are not only being conducted by culturally diverse and multinational teams, but are also being undertaken in culturally diverse environments. Military personnel are no longer working from within one culture, but among a variety of cultural norms and expectations. As any system of ethics is based on the values and standards for a given culture, CF operations that are conducted in cultures that diverge from ours face an additional challenge of conforming to the values espoused by that culture, or finding the best possible middle ground. This is very much related to the importance of perceived legitimacy both within Canada and beyond. In order to do the work that they are ordained to do, militaries on humanitarian missions that do not conform to the cultural mores of the people that they are trying to help stand at risk of undermining both their public legitimacy and perhaps their legal authority.

Furthermore, the principle concerning the valuation of Canada over the self will become increasingly difficult to fulfil for CF members participating in multinational missions in foreign countries. Many are deployed to places where the interests to Canada seem fairly remote. Moral and ethical decision making becomes a challenge in circumstances where differences in human rights exist between the host nation and those held by the personnel of the intervening force (Dillon, 1992), such as the CF. As mentioned previously in this chapter, upon considering their responses to a hypothetical situation involving the appropriate action to take with a family from a host nation who aided the enemy, some troops indicated that they would most likely turn them over to the host nation police. However, others indicated that they would have liked to know more about the human rights history of the host nation police before doing so. Thus, this example suggests that troops who are deployed on peacekeeping missions to societies with values that are different from their own may have to wrestle with whether or not their commitment is to their own country's values or to those of the country they are helping.

Recognizing the impact of culture in our perceptions and attributions of others underscores the need for greater understanding of this phenomenon as well as ongoing cultural sensitivity training for military personnel. Sociological study of the daily life of societies to which personnel are to be deployed might be a useful step. This might involve deeper understanding of their day-to-day lives, and the values, traditions, and norms that inform their living and approach to work and defence. Training provided by the Peace Support Training Centre in Kingston, Ontario, for example, includes a component of cultural awareness specific to the area of operations. As such, proper moral and ethical decision training needs to promote cultural awareness and sensitivity training in order to minimize the influence of culturally biased judgement and consequent mistreatment of individuals.

The CF could benefit from a greater understanding of the effects of cultural factors on moral and ethical decision making. At the operational level, increased knowledge about the cultural values and norms that drive other team members seems critical. At a broader multinational level, increased attention also needs to be paid to the role of cultural factors in ethical decision making. CF personnel are increasingly being asked to perform in high risk missions, and to work as members of multinational forces within cultures that they may know little about. It is important to understand the impact of cultural factors on ethical decision making processes.

6.1.6 The Role of the Self[8]

Throughout the literature accessed during this review, there is relatively indirect but frequent reference to issues of the self on decision making. Some work, for example, has suggested that an individual's moral development might influence the ability to make moral and ethical decisions. Berg, Watson, Nugent, Gearhart, Jube and Anderson (1994) investigated the interrelationships among moral development, combat, and risk for PTSD. They surveyed several studies (Card, 1987; Hendin & Haas, 1984; Schnurr, Friedman, & Rosenberg, 1993; all cited in Berg et al., 1994) and found a consistent negative correlation between moral development and risk for PTSD. That is, the less advanced an individual's moral development, the more likely he or she is to develop PTSD after making a traumatic ethical decision. The authors suggest that because Kohlberg claimed that stage 4 moral reasoning is optimal in combat situations, military personnel at other stages might be more prone to adverse emotional reactions post ethical decision, and that stress inoculation in the military should involve a program of moral training. At a more conceptual level, Haidt's social intuitionist model (2001) describes the importance of coherence mechanisms that can guide post facto constructions of moral reasoning. In short, in attempting to understand one's actions, individuals work to maintain existing constructions about themselves. This may occur, for example, through constructing a story that brings one's past behaviour more in line with one's public attitudes. It is important to understand these processes with respect to ethical decision making.

In thinking about what distinguishes moral and ethical decision making from other forms of decision making, we would argue that the decision maker's construction of self is critical. Perhaps by virtue of its relationship with higher order constructs, such as value systems and beliefs, one's own view of oneself also seems to be heavily implicated in the process of both making and living with one's moral and ethical decisions. In recounting his experiences as a commander in Croatia, Major-General A.R. Forand (1996) argues that an individual's conscience is a very necessary part of the ethical decision making process,

> "I believe that once a soldier's conscience is aroused, it defines a line he dares not cross and deeds he does not commit, regardless of orders, because those very deeds would destroy something in him which he values more than life itself. However, the possibility of a clash between conscience and duty, through ignorance and misjudgement, is still very real." (p. 31).

What stands at risk of being destroyed in some ethical decisions is one's very sense of self. The detachment from self, and the reluctance or inability to incorporate one's decision into a new sense of self, seems likely to be a critical source of psychological tension. It would seem from Gen Dallaire's experience that simply being aware of the external constraints with respect to one's decision (e.g. one being bound to follow restrictive or inadequate rules of engagement) does not necessarily release one from personal, moral responsibility for wrenching decisions. In fact, even if CF personnel have followed procedure and adhered to available guidelines outlined in the *Statement of Defence Ethics*, some moral and ethical decisions may be impossible to live with. Although factors external to the individual (e.g. CF support for action, proper adherence to rules of engagement) might help, being fully compliant with established procedures may not fully buffer the impact of difficult ethical decision making. As Major-General A.R. Forand (1996) argues,

> "But at the end of the day, the soldier's moral dilemma is only resolved if he remains true to himself." (p. 31).

A key issue here is the problem of the intractability of ethical decision making, particularly as described by CF personnel who have made these decisions. CF personnel enter operations with established value systems based on their personal experiences, as these value systems are shaped over time by the CF military ethos. In *Shake Hands with the Devil*, Gen Dallaire illustrates how the horrifying memories of Rwanda still surface at the seemingly innocuous observation of cut trees piled on the side of the highway in Canada. Acknowledging the "terrible vulnerability" he burdens, these same trees become "piles of Rwandan bodies drying in the sun" (Dallaire, 2003, p. 315). Later in the book he discusses the toll that witnessing these horrific scenes may have exacted on his men: "No wonder some of them had fallen off the face of the world and had entered a hell in their minds. We had absolutely no medication to help them" (Dallaire, 2003, p.325–326). This example suggests that the moral and ethical decisions sometimes required in military contexts, can make one's self concept particularly vulnerable to damage, as humane and just decision making processes cannot always be enacted.

Even knowledge of the strongest possible principles and obligations will not prevent unique dilemmas. For example, as an UNMO, there may be situations where the best course of action is to walk away from a human rights violation in progress in order to save oneself in order to be able to provide testimony to the event. Individuals who make these kinds of decisions may find it difficult to reconcile with their self understanding. That is, if individuals have a strong moral identity, that is, part of their self-concept is to *be* a moral individual, the failure to act consistently with this self-concept might contribute to self disintegration. It is also not impossible to imagine a scenario where respecting the dignity of one person disrespects the dignity of another. Having to make a choice between who to save and who not to save violates the principle that one must esteem all people equally. As Major John Russell explained in a closed presentation to DRDC (February, 2003), while he was serving as an unarmed UN military observer (UNMO) in Sarajevo he had to choose, literally, who would live and who would likely die based on circumstances out of his control. Though he is able to sustain the belief that his efforts to save more than 350 people from dying are laudable, he struggles with the fact that there were others that he could not save. Moreover, even having a strong hierarchy of principles will not free us from the obligation that we did not choose to satisfy. To simply trump one principle over the other *a priori* diminishes the significance of a moral dilemma. As stated above, in military contexts, this is especially pointed because the consequences of failing to fulfil one obligation over another can be severe and, in some cases, fatal. It is also possible that there will be residual guilt, perhaps even manifested as combat stress from the failure to fulfil one obligation. The psychological conditions of General Romeo Dallaire and others in the Canadian Forces are examples of this. Thus, although it might have been 'right' to supplant one obligation for another, individuals may find themselves wrestling with their perceived personal responsibility long after the fact.

The research literature also notes two psychological processes that revolve around the individual's sense of self and one's response to moral situations. Bandura (2002), for example, has described "moral disengagement". This concept is closely linked with the notion of moral agency. In general, Bandura argues that any theory of moral agency must link moral reasoning to moral conduct. Bandura's theory of the "moral self" links moral reasoning to action by means of "affective self-regulatory mechanisms by which moral agency is exercised." (Bandura, 2000, p. 102). Through these self-regulatory mechanisms, people judge their position relative to their own internal standards, and monitor their own behaviour in accordance with these standards. However, it is also possible for people to disengage these processes that work to balance their moral action in accordance with these standards. This ability to disengage at a moral level explains how otherwise moral people can behave in very immoral ways. This can occur through moral justification, whereby less than moral conduct can be justified by its portrayal as serving noble ends. Euphemistic labelling (using more desirable labels) can also promote moral disengagement, as can comparison of current action with a more undesirable alternative (e.g. terrorists justifying their actions through previous injustices). Other relevant processes include the diffusion and displacement of responsibility, distortion of consequences, and dehumanisation. As a whole, these processes have the potential to interfere with the normal self-censure processes that promote and sustain moral behaviour. Importantly, the process of moral disengagement has been noted most prominently in military actions and with respect to political violence. In the long term, moral disengagement seems to have the potential to promote alienation from self, wherein a person performing actions that are incongruent with his personal standards is increasingly cut off from ownership of his behaviour. As such, the moral disengagement process will be important to understand in more detail as our research program proceeds.

A related term called "moral cleansing" has been used to describe peoples' efforts to maintain sacred values (Tetlock, 2000). When such values are assaulted by external forces, individuals seem to respond in two ways. First, we distance ourselves from these "transgressions" through the expression of moral outrage. Secondly, we use "moral cleansing" to re-establish and reaffirm the core values under assault. More specifically, the Sacred-Value-Protection Model (SVPM; Tetlock, 2000), argues that people actively work to protect sacred values by engaging in "symbolic acts of moral cleansing designed to reaffirm their solidarity with the moral community" (Tetlock, 2000; p. 855). This cleansing can take many forms, but can include higher probability of negative dispositional attributions, high support for punishment of violators, and strong negative affective correlates (e.g. intense reactions to violators). When core values are under assault, then, there is good empirical evidence that people seem to work to maintain their sacred views through their negative responses to people and situations that threaten these values. Although neither of these processes appears to have been explored specifically with respect to ethical decision making, they are closely conceptually created, and both moral cleansing and moral disengagement will also be critical to explore in more detail.

As such, it seems important to acknowledge the role of the self in ethical decision making, and perhaps to begin to grapple fully with the implications of this idea. The sheer intractability of ethical decision making is an issue that may itself not be resolvable. By the same token, if the impact on one's self-concept, one's self definition is not identified as a critical factor, this issue may never be given the conceptual and empirical attention that it deserves. Thus, it is critical to incorporate "the self" into existing models of ethical decision making, and to begin to understand how best to predict optimal ethical decision making, as well as promoting the optimal ability to be able to live with these decisions.

Clearly, making difficult ethical decisions seems to offer a number of challenges to the preservation of one's sense of self. At a pragmatic rather than a conceptual level, it is clear that the military system is obligated to respond to those like Gen Dallaire who continue to suffer in the wake of ethical decisions made during military operations. It seems important that the CF train its personnel for the moral and ethical dilemmas they may find themselves a part of, as well as establishing supports that will aid commanders and soldiers in dealing with the long term implications of their decisions, particularly the alienation from self. As the CF has already recognized, action should also be taken in the arenas of pre- and post-decisional support around ethical decision making. With the atrocities witnessed by CF personnel in both past and recent history, as a society, it is our duty to consider whether failing to protect individuals at a psychological level from gut-wrenching ethical decisions does not constitute differential valuation of one life versus another.

6.1.7 The Changing Context of Military Operations

The theatre within which modern wars are waged is changing in several ways (Wenek, 20002; Dallaire, 2000) and military command decision making will be complicated, if not compromised, by the nature of twenty-first century military operations. Unlike conventional war, new operation scenarios include as multinational contingents, multidisciplinary partners (including political groups, humanitarian organizations, etc.), asymmetrical threats, complex and sometimes ambiguous mandates, and continuous media scrutiny. In the sections that follow, we briefly explore several contextual factors that are likely to affect ethical decision making within the CF in a very real way.

Operational Complexity - Another aspect stemming from the changing nature of military operations is the constant blurring of lines between combatants and non-combatants. Increasingly, modern militaries are being asked to respond to humanitarian crises, but end up themselves being witness to civil war. At the 1996 Conference on Ethics in Canadian Defence, Gen Dallaire cited the following passage from Martin Van Crevald's *The Transformation of War*: "where regular forces are employed against guerrillas and terrorists, the distinction between combatants and non-combatants will probably break. Unable to go by the ordinary war convention, as expressed in the rules of engagement, all but the most disciplined troops will find themselves violating those rules." One example of a blurring of this distinction is where children are concerned. Conventional militaries would find it challenging to fire upon a child carrying a weapon. In Western culture, children are, by definition, non-combatants. This truism becomes questionable, however, when one's life or the success of a mission are threatened by a child who has been trained to kill you (Dallaire, 2003), or those who discover the hiding place of an enemy reconnaissance team of which you are a member (Dillon, 1992). The question of engaging a child is not just an ethical one, of course, but it also contains repercussions pertaining to acceptance of responsibility of the violations of the Geneva Convention and military justice.

From his taxing experience, Gen Dallaire (2000) observes that current international conflicts and crises require that the UN participation be more nimble, i.e., "dynamic", "time sensitive", and "flexible", and have clear mandates and ROEs that suit the particular conflicts. He argues that by the time the UN and contributing nations meander through "extensive negotiations", deciding a course of action, the mission and resources likely have altered, requiring further negotiations. As the genocide gained momentum in Rwanda, the Security Council and the office of the secretary general demanded that Gen Dallaire provide them with more "information" so that they could decide upon the course of action. Gen Dallaire questions today: "What more could I possibly tell them that I haven't already described in horrific detail?"

Because the UN walks a political and ethical fine line, it sometimes issues mandates that have very ambiguous language, such as "monitor", "assist", "create" or "investigate", which makes it difficult for commanding officers "to decide what and/or how much to do" (Dallaire, 2000, p. 38). Compounded by the fact that ROE often only permit use of lethal force in self-defence, military personnel face situations where they are increasingly at risk and, as individuals, can have little impact. In one situation Gen Dallaire chose a "strategy of non-intervention" by UNAMIR in order to minimize the risk of possible attack. Consequently, it also meant that UNAMIR was not protecting those at risk. In another situation, a few days later when Gen Dallaire felt betrayed by the international community and the UN, he altered the ROE for UNAMIR. He drafted new ROE that permitted his troops, participating in the evacuation of expatriates, to "disarm belligerents and to intervene with force after warning shots" (Dallaire, 2003, p. 290). Was it right that Gen Dallaire changed the ROE for the evacuation? Was it right to put his soldiers in graver danger given their lack of ammunition and numbers and the UN's desire to remain "neutral"? Or did the decision empower his soldiers and provide them with greater protection? Either way, Gen Dallaire maintains that "I was on the ground, I was in command, I had been given the mission and I took the decision" (Dallaire, 2003, p. 290). As command and control functions have become increasingly decentralized, for example, it is argued that commanders determine the "what" but not necessarily the "how" of military operations, increasingly leaving the "how" function to the commanders on the ground (Verweij, Cloin, & Tanercan, 2000). Of course, with this key change, there is also more responsibility for the person on the ground making crucial decisions.

This trend toward increased operational complexity demands an updated view of ethical decision making, as it introduces many more variables and influences. Although the underlying values and principles may be similar in conventional versus unconventional warfare, it seems important to better articulate the kinds of dilemmas that arise from unconventional operations, and to give CF personnel strategies for making decisions when the outcomes of the alternatives are not foreseeable.

Peacekeeping vs. War Fighting - As modern warfare has changed from conventional warfare to more peacekeeping operations, it also seems important to understand the impact on the changing nature of warfare for ethical decision making.

Based on his experience in Rwanda, for example, Gen Dallaire (2000) argues that peace support operations necessitate skills that go beyond conventional war training. Gen Dallaire believes that officers require a broader and deeper knowledge base and experience than ever before, in addition to greater linguistic skills and cultural understanding. One cultural dimension that aggravated the situation in Rwanda stemmed from the fact that the principal medium of communication was the common household radio. According to Gen Dallaire (2000), the radio carried enough authority to not only disseminate hate but also incite mass murder. The inability to simply slip into the cultural horizon of Rwandans barred UNAMIR from recognizing this uniqueness. Regrettably, international law prevented the interference of the sovereign airwaves and therefore had no contingency plan to address this cultural dimension. This hindered the ethical action of destroying the propaganda instrument that contributed to genocide.

In summary, we suggest that the changing war theatre, that is, from strictly war-fighting to peace-keeping, requires a fresh approach to ethical problem solving. As the theatre evolves, the potential for clear answers to be provided by current mandates in the DEP will become less likely. Given the nature of the concerns of peacekeeping missions, the CF may be increasingly required to turn to the answers provided by ethics as opposed to laws, precedence, or procedure.

Increasing Role of Technology - The increasing role of technology during military operations presents several challenges to ethical decision making. Some newer forms of technology (e.g. advanced ballistics and firepower) may increase a military system's ability to neutralize enemies. At the same time, however, this power can also put innocents in harm's way, and compromise the principles on which armed conflict should be based.

The overconfidence of highly technological militaries also poses ethical challenges in current theatres of war. Gen Dallaire (2000) warns that these militaries should not be so dependent on technological solutions to operational problems where a simpler solution might exist. He suggests that an extreme reliance on technology might needlessly replace skills that are basic, yet effective.

This is especially true when the enemy are less advanced, but nevertheless have effective destruction tactics, such as Palestinian and Iraqi suicide bombers or the Al Qaida who carried out the attacks in the United States. Nonetheless, the increased role of technology in warfare brings the importance of ethical decision making into sharp relief. Given the potential for annihilation of enemies that modern technology enables, the question of what is ethical becomes even more critical.

Operational Realities – It is important to note, however, that even the good intentions of the CF to train better ethical decision making, however, may be comprised by the operational realities faced by many of today's militaries. The current budgetary constraints within the CF are likely to impact on this form of training as well as on the more skill-based forms of training. The implication of this, as Wenek (2002) argues, is that unit level leaders will continue to be charged with the responsibility to socialize new recruits into the military system. As the disseminators of military ethics and morality, these leaders should be the focus of research and training. Carlino (2000) raises a significant point regarding the dissemination and effectiveness of US Army values which is also relevant to the CF. He points out that the US Army's "alarming shift" to a more value-based approach is destined to "fail due in large part to the inability of the values program to effectively communicate and instil ethics beyond even the most superficial levels" (Carlino, 2000, p. 1). Like the CF, the current instability in US Army personnel recruitment and retention, and greater expectations for quicker troop deployment prevent adequate ethical engagement and education. Carlino (2000) suggests the implementation of a tiered approach. He recognizes the need for professional development and professional service schools for the NCO and Officer Corps, but argues that in order to be useful, the soldier and unit levels require realistic training, which include ethical concepts and rules, especially rules of war (i.e., LOAC). He does not believe soldiers will be able to fulfil any values in wartime missions unless those values relate to the military's primary functionality. The downside of a tiered approach to ethics, however, is the reliance on and effectiveness of COs to promulgate the principles and obligations to those they command. Nevertheless, Carlino's insistence that a program may be ineffective because of the current situation in US and Canadian militaries is compelling and warrants further debate. This suggests that the CF commitment to ethical decision making may be challenged by current funding realities and constraints.

6.2 Advancing Philosophical Underpinnings

This section explores ethical decision making with respect to the grounding of the principles and obligations, decisions about what is ethical, translating ethics into action, and the intractability of moral dilemmas.

6.2.1 Why Should I Be Moral?

A common implicit assumption in the literature reviewed for this report is that a thorough description of the principles and obligations concerning ethics and morality will be an adequate grounding to ensure moral reasoning and action for any given agent. Certainly, many of the principles presented in the DEP, for example, have a strong history and are well grounded in established conventions. For example, the first principle, "Respect the dignity of all persons", or alternatively treat *all* people as ends in themselves and never as a means, has roots in liberal theory and manifestations in the various Geneva and Hague conventions. We might also assume, as Canadians participating in a liberal democracy, that this is an inalienable human right that ought to be upheld. The DEP explains that this principle "reflects the primacy in the public domain of our common identity as members of one human family over our identities as members of a particular race, religion, nationality, or ethnic group" (*Handbook*, p. 33). It continues that "[t]his common identity is rooted in the biological unity of humankind, in its unique cognitive abilities, and in its distinctive behavioural and social characteristics. However, the common assumption that knowing the principles and obligations are adequate motivations for individuals to actually act in accordance with them is potentially problematic.

The normative force of the obligations themselves must be questioned. Major Michael Carlino's (2000) criticism concerning the US Army's core values is relevant to the obligations demanded of CF personnel. He explains that the core US Army values include Loyalty, Duty, Respect, Selfless Service, Honour, Integrity, and Personal Courage that align into the acronym LDRSHIP. Not only is his charge that these values are arbitrary and groundless but, more importantly, so general that they apply to a multitude of organizations. As such, Carlino (2000) holds that they can apply to any organization including sports teams or the Mafia, and that a dictator who expects his charges to uphold these obligations need not be ethical him- or herself. In other words, there is nothing *inherently ethical* about an organization that adopts these values if the motives of the organization or its leaders are dishonourable. According to Carlino (2000), the breadth and superficiality of LDRSHIP then points to another more serious contention – "they lack any normative aspect whatsoever". So though the principles may have some normative force for the DEP, the obligations present less of a guarantee.

Further, there is compelling literature in the field of moral psychology that suggests individuals act morally because they begin to see their moral and ethical behaviour as integral to their personal identity, or self-concept (see Bergman, 2002). Research suggests that individuals can know right from wrong, but this knowledge does not necessarily lead to right action (Blasi, 1989; cited in Bergman, 2002). It is believed that for someone to actually act consistently with this knowledge, moral understanding needs to be integrated within one's personality. As such, a failure to act morally and consistently with moral principles and obligations is a betrayal of the self, and not merely a betrayal of an abstract principle. It is argued that moral understanding gains its motivational force from its integration into structures of the self (Blasi, 1995; cited in Bergman, 2002). The implication is that individuals will not act on a principle unless it is making a claim on one's sense of self identity. Inculcating moral principles are important, but this does not guarantee in itself motivational force. Rather, individuals come to interpret themselves as ethical, and this self understanding drives moral action.

Any effort to promote ethics within a given organization, then, must provide strong foundations and justifications that are accessible, but meaningful, to its members. For the CF, for example, this might include addressing some of the current arguments against theories of liberal democracy. Failing this, the principles and obligations demanded of CF members risk having little normative force and may not be internalised by CF members. Moreover, it will also be important to understand at what point individuals see their moral identity as integral to their self-concept. It is argued that a conscious interpretation of the self to *be* ethical is necessary to guarantee moral action. Research in this area would be of great benefit to the current program, as well as to understanding moral and ethical decision making.

6.2.2 Deciding What is Ethical

Another potentially problematic assumption noted in the reviewed literature is that people are able to recognize whether they are in an ethical situation or not simply through their attentiveness to this issue. There is nothing inherently amiss with this proposition, as encouraging people to think ethically is a necessary course of action in the larger picture. However, this may also be problematic as moral self-evidence can also be prone to dispute. Gen Dallaire's description of the DPKO threat to withdraw UNAMIR from Rwanda in March 1994 following the continued political standoff to establish the broad-based transitional government and comply with the Arusha Peace Agreement is an excellent example. He indicates that this action was interpreted, on the one hand, as simply a political and economical position. On the other hand, Gen Dallaire (2001) interpreted the UN's position as 'immoral'. How are we to reconcile this difference of interpretation? Those at the DPKO knew that to abandon the Rwandans would lead to the collapse of talks and a return to civil war. Certainly, the toll in human life alerted them to their moral responsibility as an international agency committed to the preservation of human rights and world peace. Was it a lack of moral awareness on behalf of those at the DPKO? Was it that they were not 'conscientious'? It is difficult even for high-ranking officials to judge whether a situation is a question of moral right and wrong, let alone those with less experience.

One possible means to ensure an ethical focus on action is to expose CF personnel to ethical training on a more frequent basis. Providing CF personnel with workshops that include scenarios they must work through on the basis of a well-founded moral position that they must defend, may contribute to members' moral development. Workshops and scenarios might increase in breadth and complexity as participants' progress. Of course, this will be a challenge given the relatively low levels of retention in the CF today, and the rapid deployment of personnel overseas. Thus, while we recognize that such a program might be idealistic, we suggest that it is a position from which a more realistic program could develop.

6.2.3 Translating Ethics into Action

Value-based normative approaches to ethics are common. They argue that moral decision makers should apply the stated principles and obligations in order to guide their actions and develop their moral character. On the other hand, value-based approaches might also oversimplify the true nature of ethical decision making. Ethical decision making is complex and, although the principles and obligations outlined within a value-based system are meant to mitigate the challenge for moral reasoning, there is never *the* solution for the ethical issues that we confront. Knowledge of ethical principles and obligations may make our decision making easier. However, knowledge of ethical principles does not entail prudent application of those principles. With moral dilemmas, the application is greyer, and even adopting a hierarchical set of principles may not provide an adequate base on which to make difficult moral decisions..

Moreover, there are clearly many different ethical ideologies (e.g. rule-based, consequence-based, care-based, or character-based) available to individuals having to make ethical decisions. However, when confronted with an ethical situation, treating these approaches as a "tool kit" to be used, and expecting for these approaches to be a simple step in a unitary process of moral decision making may treat ethics superficially. The principles and obligations themselves are typically meant to assist individuals in choosing right action, but their may be little value in an individual working to determine the appropriate moral theory to be used in each distinct situation, especially when he/she is constrained by time and has a strict ROE. Rather, individuals should be informed by well-founded, well-articulated principles and obligations that are formulated within and promulgated by the organization as a whole. Of course, it will also be critical for these principles and obligations to provide clear answers about which principles should take priority given many opposing demands. In this sense, providing concrete examples of what these principles and obligations would look like in actual practice would be critical.

6.3 Summary

Overall, the challenges faced by CF military personnel having to make ethical decisions in operational settings necessitate a very complex account of the moral and ethical decision making process. This review of the literature suggests that factors such as emotion and intuition, the self concept, and influences arising from multinational and organizational culture and a changing war theatre will continue to challenge CF personnel having to make difficult ethical decisions in operational settings. It seems important to extend the CF view of ethical decision making to include developing research in these areas. Moreover, further conceptual refinement will also be required to better match a future model of moral and ethical decision making with the operational realities faced by CF personnel. This model will need to be validated with strong and relevant empirical research, and it will be important to continually update the approach to ethics in order to provide the best possible "snapshot in time" of the realities faced by CF personnel both in and beyond operations.

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(U) This report outlines the Department of National Defence's approach to moral and ethical decision making outlined in the Defence Ethics Program (DEP), and considers the scientific and military research pertaining to moral and ethical decision making. This work discusses the various conceptual definitions of morality and ethics, and explores the Defense Ethics Program in detail. The DEP argues that several factors influence moral and ethical decision making, and these factors are reviewed. Following this, both formal and informal CF training mechanisms that address moral and ethical decision making are explored. In general, our review found that the DEP depicts ethical decision making as a primarily rational linear cognitive process. This stands in contrast to both descriptions of military personnel, as well as current literature that suggests intuition, emotion, culture, and an individual's self-concept will also determine moral and ethical judgements and action. Moreover, efforts to understand moral and ethical decision making must also consider the operational realities that confront the CF in today's military campaigns.

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(U) Canadian Forces; ethics; morality; decision making; training; Defense Ethics Program